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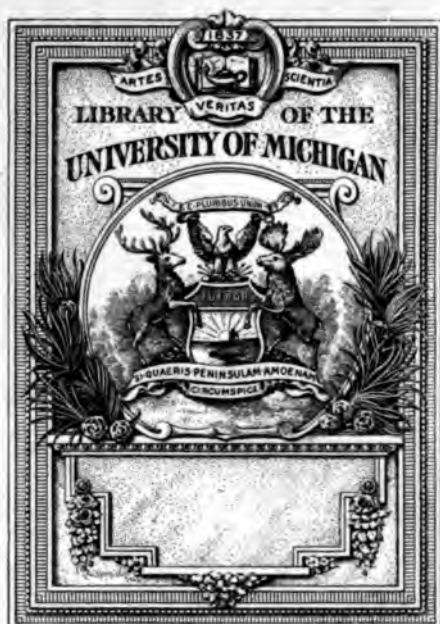
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CHARLES ROBINSON. 1894.

THE LIFE OF

CHARLES ROBINSON,

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THE FIRST STATE GOVERNOR

OF KANSAS.

BY

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in the University of Kansas.*

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PREFACE.

THE writer of this biography has had access to the excellent collection of sources of the Kansas Historical Society, including manuscripts, printed collections and documents; to the fine collection of Kansas books in the library of the University of Kansas, and to the public documents of the United States. He has conversed with many of the first settlers and other prominent citizens of the State relative to the making of Kansas. He had also the personal acquaintance of ex-Governor Robinson during the latter years of his life, and thus had an opportunity to glean much concerning the life, opinions and personal characteristics of the "Free-State" Governor of Kansas.

Of especial value in the preparation of this work has been the large amount of material gathered by the untiring zeal of Sara T. D. Robinson, from her first advent to the Territory in 1855 to the present time, and by the courtesy of the owner placed in possession of the writer.

In addition to these sources of history and biography, the writer has found it profitable to read a number of books written about Kansas, many of which have at least blazed the way through the forest of Kansas history. These books, some of great value, others of little worth,

fall into two classes,—those written contemporaneously with Territorial events, and those written during the recent renaissance of Kansas History. The list is too long to be mentioned here, though frequent references to some of these works have been made in the book.

Having been identified with the educational interests of Kansas for a number of years, the writer takes pleasure in presenting this book to the public with the hope that it will find a worthy place among the books relating directly to the foundation and growth of the State.

LAWRENCE, Sept. 1st, 1901.

FRANK W. BLACKMAR.

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INTRODUCTION.

INTRODUCTION.

I.

THE writer of this biography has tried to tell a plain, unvarnished story of the life, character and services of one of the foremost men in the struggle to make Kansas a free State. He has written with the consciousness that if only the truth were told, without any excessive laudations or evidence of hero-worship, the subject of this book would stand out as a prominent character in Kansas life, with clearly defined and important relations to individuals, political parties, and to the community at large. The life and character of Charles Robinson are worthy of record. His career in Massachusetts, California and Kansas not only contains lessons for men's individual lives, but involves questions that affect human society,—questions which are of moment in the building of States and the protection and preservation of communities.

In presenting this simple biography of a prominent man, no attempt is made to write a history of Kansas. To do this would involve tedious chronological details which could not be incorporated into a work of this nature. Yet it is impossible to portray the life of a prominent maker of history, one who was closely connected with the stirring events of his time, without giving much attention to the historical background. In doing this, much care has been taken to make this history not only correct, but full enough

to be free from the faults of partial knowledge and half-truths.

II.

It is not an easy task to write a biography of any one of the prominent characters who engaged in the great struggle for freedom in Kansas,—for it was a great struggle, a national struggle localized,—since each individual life came in contact with nearly every phase of the building of a new commonwealth in a wilderness. The difficulty is greatly increased on account of the confusion of political and social affairs. People of every variety of political opinion, possessed of different notions of government, having different personal motives, objects and ambitions, came from every part of the Republic to mingle their lives and their ideas in social union. Here were Democrats of every shade of belief, from those having liberal views on slavery to the most radical proslavery men; here were Whigs, Free-State men, Independents, Free-Soilers, and Abolitionists,—all crowded together under the pressure of an intense political life. Before any permanent government or social order could be established, these men of widely divergent views must reach a common basis of action regarding government. In other words, they must become socialized before an effective government could be put into operation. This diverse and shifting life of intense activity left its impress upon those who passed through it, and therefore to a certain extent also upon the history of Kansas. Strong individuality is characteristic of all Kansas history that has yet been written; for with few exceptions, each one who has written or talked has attempted to tell the story with his own individual col-

oring, and seldom, especially, has a writer who went through the struggle succeeded in hiding his own personality sufficiently to write impartial history. It stands to reason that if each of ten men tells the same story in a different way, each coloring it by his own personality and viewing the facts from his own standpoint, the other nine will be dissatisfied with his account and will criticize it severely. History so narrated will be a medley, and it is upon such a medley that the student of Kansas History has to look at present. Yet is is fortunate that so many who passed through the struggle have told the story as they viewed it, and unfortunate that many others allowed life to pass without writing what they knew of early Kansas history. The difficulty of collecting, sifting, comparing and classifying the material of Kansas history, so as to make a judgment just and fair to all, is therefore great. The large historical movements are tolerably well defined; but local events and the details of movements which can only be determined by the corroborating testimony of eye-witnesses, need to be carefully recorded before it is too late. If this is done, perhaps then some historian will at last appear, unbiased in judgment and keen in discrimination, who will eliminate the personal element from history, consider faithfully and impartially all of the fragments, take each at its true value, and weave the whole mass into one presentable continuous narrative.

Kansas history seems at present, however, to be in the biographical period. Those who now write and talk upon the subject appear to be chiefly desirous of summing up the lives and characters of the prominent actors in the great struggle to make Kansas free, and of those who were

influential in building the commonwealth. And it is well to pause and find out truly what manner of men engaged in this great struggle, and what they stand for in the process of state-building, before proceeding to unravel the tangled web of Kansas history. The strong individuality displayed in the early struggle, the fierce controversies that have raged since, render it highly necessary that the achievements of all who were prominent in that struggle shall be carefully defined in order that the historical horizon may be cleared of clouds of error.

The chief dangers to which those who have written about the early history of Kansas are liable to fall victim are the tendencies to personal bias of the writer, ambition, and hero-worship. Little that has been written of Kansas is without at least one of these defects. Many, indeed, have perhaps innocently fallen victims to current errors, but still more have been blinded by their own sympathies, which have fallen like a curtain over their intelligence and obscured their discriminating power. Others have been blinded by worshipping at the shrine of their heroes. Too long gazing at their idols has dimmed their vision and rendered inaccurate their delineation. Still others,—and this is the characteristic fault of some who played a leading part in the early struggle,—possessed of vaulting ambition to be regarded as the greatest among their peers, have unconsciously enlarged upon those events with which their own lives were most closely connected. Yet in all that is said and written about the early history of Kansas, there is something of truth, whose unmistakable voice is heard more clearly as time and the passing of passion and prejudice render us more familiar with events and men.

As in all other new countries, so in Kansas,—hero-worship is a prominent feature of the new life of the new State. This is evident in the early as well as the late historical writings, and it will be a long time before it is sufficiently eradicated to permit the writing of a full history of the State in which justice is meted out to all her sons according to service. The strong partisanship was an essential outcome of the variety of conditions contingent upon the settlement of Kansas. It could not be otherwise than that, where men's passions were deeply stirred, where each one was put to his utmost tension in subduing the soil, fortifying against the climate, endeavoring to make the land habitable, and at the same time fighting the battles of freedom, intensity of desire and purpose should have characterized every movement. Men were either for or against men and measures; to be otherwise was to be nothing. To be strongly in favor of one party meant a strong opposition to all men or parties on the other side. It would be a blessing to succeeding generations if some one well versed in the affairs of Kansas could obtain accurate knowledge of all that was done, and present it in a fair, impartial and wisely judicial way, so that each deed and event should stand out clearly in its proper proportion and relation to every other, and each man should be given full credit and no more for his part in the process of state-making. He who reads all of what has been written about Kansas history from the many different stand-points will find that the men who made Kansas free were many, and that the writer who attempts to show that one man saved the State has read the history only in part or was himself an actor in that history, and is moved by vain

ambition or selfish motive. When impartial history comes to make known who it was that saved Kansas to freedom, many names which have remained in obscurity will be illumined with the noble light of patriotism, and others, of the vaunting and boastful, will pass into deepest obscurity.

III.

Yet even now, vital facts of Kansas history stand out clearly and beyond controversy. One of the most important of these facts is the result produced by the passage of the Kansas-Nebraska Bill. The immediate effect of this bill's becoming a law was to open the Territory to settlement by emigrants from various States in the Union. The causes of emigration were two-fold: first, the desire to possess free lands of good soil and in a country having an excellent climate; and second, the desire to settle the country for or against slavery. The long controversy between the slave-power and the free States had reached a crisis. By a decision of Congress the question of slavery was to be henceforth referred to the settlers of new Territories for its final adjustment. This meant either a settlement at the ballot-box or a passage at arms; perhaps both. Kansas became a pivotal point in the controversy between freedom and slavery, an object lesson to the whole country. People rushed in from the North to make Kansas a free State, and from the South to make it slave. From the beginning, the struggle was to ascertain which side could furnish the most voters. Whatever some might hope to accomplish by prowess, planning and scheming, the Free-State people had really but one hope of victory, and that

was to outnumber the Proslavery voters. This they finally succeeded in doing, and won.

But this struggle for mastery at the ballot-box involved the minor struggle for land; for many spurious claims were staked out by non-residents, chiefly from Missouri, who hoped to hold them from *bona fide* settlers and to use them as a pretended place of residence for voting purposes. Nor was this struggle for land a small factor in the causing of the border troubles. Indeed, the getting possession of property was to some of far greater importance than the question as to whether the State should be slave or free. Following this rapid settlement of the Territory came the fraudulent voting of the proslavery people by hordes of voters who came from Missouri to outnumber regular voters, and by force to "stuff" the ballot-boxes. This caused the election, by unfair means, of a proslavery Legislature which made odious laws offensive to Free-State men, in violation not only of the spirit of the Kansas-Nebraska Bill, but also of the letter of the organic act which opened up the Territory. Thereupon the Free-State men openly repudiated this Legislature and the laws passed by it, and organized opposition to it. Incidents of this struggle were atrocious murders, invasions, the sacking of towns, and robbing and plundering. It is fair to history to say that this was not all done by one side. For while the Free-State men desired no strife and entered upon the plan of non-attack, they did not adhere to the principle or practice of non-resistance, but soon showed themselves ready and willing to defend their property, lives and rights to any necessary extent. The Free-State men were a fine class of people, but they were not all saints

by any means, for they had among them those who could encourage and even perform dastardly deeds. In the emigration to a new country it usually happens that many reckless and vicious characters are mingled among the majority of worthy and substantial people. Surely, Kansas was not an exception to the rule, and it is scarcely possible that all of this class should have hailed from Missouri and the South and none from the North. Yet for earnestness of purpose, integrity of life, and desire for justice and fairness in government, there is no comparison between the proslavery and antislavery elements in Kansas. The conduct of the former was from the beginning characterized by violence and fraud, while the latter in the main desired liberty and justice to all.

In the contest that followed the fraudulent election, the Free-State men showed their political sagacity by adopting the so-called Topeka Constitution, completing an organization, applying for admission to the Union, and thus keeping their forces together. By this means they defeated the Proslavery party, preventing the adoption of the Leecompton proslavery constitutions, and finally causing Kansas to be admitted to the Union under the Wyandotte Constitution. The change of national administration and the Civil War, followed by the abolition of slavery, completed what the Wyandotte Constitution lacked of making Kansas a free State. For the phrase "*white male citizen* of twenty-one years of age," still stands in the present State Constitution as a last vestige of the old political struggle over Freedom in Kansas.

IV.

As already suggested, no little controversy has arisen as to who was most prominent in the saving of Kansas to freedom. Plainly, however, it was the body of able men who stood shoulder to shoulder, after they had learned the lesson of freedom, persistently insisting that Kansas must be admitted into the Union without slavery. While there were leaders who won renown, much credit is due to many who do not appear prominently in history, but who can answer honorably and with pride when the long roll of heroes is called by the future historian who writes the whole of Kansas history. As to the Brown-Lane-Robinson controversy, it is not easy to get at the whole truth and cause each man to stand forth in his true light. The three men were entirely different, with different characteristics and different purposes. Each was called upon to play a different part in the tragedy of freedom. Hence, granting that each one was sincere, noble and brave, it would be a difficult thing to make a comparison of the three on the same plane. They were too unlike, both in good and bad traits, to admit of a successful classification and comparison of their qualities, and of their influence on the great national struggle between Freedom and Slavery. Whether this is equally true as regards the relative influence of each in the smaller struggle to make Kansas a free State, the writer has attempted to say fully in the body of the work. Here a few words must suffice.

For two years Robinson was the resident agent of the Emigrant Aid Company, and his chief duty was to care for the affairs of the company in Kansas, and especially to look after the emigrants sent from New England and

other parts of the East, and to see that there was established a government in which the rights of all citizens should be protected; hence he opposed the laws illegally made by an illegally constituted Legislature elected by fraud and violence. Yet he did not wish to rebel against the legally constituted Federal Government, although he felt at liberty to criticize its action when he deemed it wrong. While he did not hesitate to fight when necessary, bloodshed and violence were in his view ever to be avoided if possible. His characteristic was cool, deliberate judgment, and when once he had determined upon a course of action, he never wavered on account of personal consequences.

Lane came to Kansas as a politician. Almost his first act after arriving in the Territory of Kansas was an attempt to organize the Democratic party for political purposes. From the beginning to the end of his career in Kansas, political ambition was his ruling passion. It did, indeed, cause him to do many brave and noble things, but it also caused him more than once to swerve from the path of justice and right; and finally, disappointed ambition brought him to an untimely death. He was bold, passionate and impulsive, and his impulsive nature and powerful eloquence were of service in keeping up enthusiasm among a certain element of Free-State men. He came all the way from a Proslavery to a Free-State platform, for he was keen in measuring political forces and he preferred to work with a majority. He was, nevertheless, a man of action, and whether in the convention hall or open field, he swayed the multitudes by the momentum of his enthusiasm. Often did his fierce plunges compel

the cooler-headed of the Free-State men to rush to the rescue and extricate the cause from a perilous position. While only the hero-worshipper can approve of his course in many of his devious windings, he was, nevertheless, a power in the building of the State and must be reckoned with; although it is scarcely safe to agree with some of the sweeping declarations of his eulogists.

Brown should not be measured as a Kansan, for his contact with Kansas was little more than an episode. He should be considered from the standpoint of a larger national life. What he accomplished in awakening a nation to its true sense of danger and in precipitating a great struggle can scarcely be measured. Strange and mysterious was his life, and strange and mysterious was his influence on the nation. The circumstances of his death made him a martyr in the eyes of the people of the North. The dignity of martyrdom lifted him above the status of an ordinary violator of the law, but his heroism was accompanied by fanatical ideas of making people just by killing them. Had not some one written a song which was subsequently adapted to him and which the nation took up and sang from ocean to ocean, his heroism would have passed and have been forgotten as did the heroism of thousands of others in the conflict for freedom, or would, at best, have been remembered with that of the more ordinary heroes of the earth, who, in their quiet way, did what they considered their humble duty. But he has become prominently and indissolubly connected with one of the greatest events of national history, and this fact alone will, of course, perpetuate his fame. Brown desired to precipitate a rebellion by the shedding of blood. He

wished to stir up a war that would never cease without the liberation of slaves. He undoubtedly hastened the coming of the war, but the war would have come had Brown never been born. In Kansas he wished to fight, and did so whenever opportunity offered.¹ While he struck terror to the hearts of some of the Proslavery ruffians of the border by his violent massacre and his persistent savage attacks and resistance, yet he was soon away, and left the Free-State settlers of Kansas to bear the brunt of the reaction against his savage course. Verily, without attempting to detract from his greatness as a national character, but after following in detail his whole connection with Kansas and all the circumstances connected with it, one is inclined to say that his services to Freedom in Kansas have at times been overestimated.

But of these three men it is idle, after all, to ask which is the greatest, for each in his own way will always have his admirers who will find in him noble qualities to eulogize. If, nevertheless, the question be asked, "Who gave the Free-State cause in Kansas the best service,—Brown the hero, Lane the soldier and politician, or Robinson the man and governor?" the verdict of history cannot fail to give the palm to Robinson, the man and governor, about whom centered the Free-State forces. But of these, the most prominent characters in the Kansas struggle for freedom, it is difficult, as before indicated, to measure one by the other; for Robinson was the only one to live a completed life and to round out his years in the fullness of time; while one of the remainder met death at his own hands and the other was hanged for treason. In settling

¹ See Chapter X.

personal relations, however, and the claims to relative greatness among those who figured prominently in early Kansas history, these are the characters that must be most dealt with.

V.

It is necessary to represent the life of Robinson, not only in relation to the public actions which occurred in the building of a commonwealth, but also in his relations to the lives and characters of his associates in the important events of the history of Kansas. Whether he has been entirely successful in this regard or not, the writer has at any rate tried to avoid throwing unjust discredit upon the actions of others, while presenting the deeds and character of Robinson. Though it is the life of Charles Robinson that is here followed in detail, yet in no case is any praise of his action meant to throw improper discredit upon his contemporaries. If it appears that undue importance is given to Robinson when mentioned in connection with other men, it must be remembered that Robinson is the subject of this biography, and that the services of others are not ignored if not eulogized. If Robinson, Lane and Brown were the most prominent historical characters in the early struggle for freedom in Kansas, there were numbers of other loyal men whose unswerving faithfulness to duty, unflinching courage, and acute sufferings made freedom possible. Call the roll of the real heroes of Kansas, and the angel of justice will respond for hundreds who sleep in their graves, and for those living who are too modest to sing their own praises. How absurd it is, then, in view of the great numbers in the different types, classes, parties, who in different ways rendered effi-

cient service to Kansas,—how absurd to hold up to the youth of the land the claim that one man saved Kansas! Yet each should be zealous in telling of the valiant deeds of friends and foes, that the uncompromising truth of history may be revealed. In this connection there may well be quoted a saying of Governor Robinson in an address to the students of the University of Kansas: “Who saved Kansas? Not one man, nor any group of men claiming to be leaders. It was the rank and file of the common citizens who saved the State to freedom. It was the union of the people in a common cause that saved the State.”

How true is this! For, notwithstanding all of the struggle and confusion, it was the majority at a ballot-box that saved the State. Not that other potent influences were not prominent in bringing this about, for there were many. There were times, too, when leaders were necessary, and then these leaders were not wanting. But here, as elsewhere, there were wise and unwise leaders; there were those who by their folly led on toward destruction and defeat, as well as those who led toward safety and victory. In writing this biography the author has no desire to make Robinson a greater man than he was. The only thing he has sought to do has been to draw a truthful picture of all that this man was and did, and especially to emphasize his public services. This the writer has endeavored to do faithfully, with the sole object of recording history truthfully.

Men differ so much in motive, in character, and in life in general; the nature of their service varies and the conditions under which they struggle are so dissimilar, that comparisons are dangerous. It is quite impossible to de-

termine whether one deed is greater than another, until the services rendered by each can be measured. Who, then, can weigh and measure greatness, or how can motive, or duty, or character be estimated? Or who can measure services and strike a balance between two important deeds? There is no dividual essence of nobility, no ultimate analysis of real greatness. For he who does his duty has served his generation well; he is good and brave, even though the consequences of his service are small. Would that society might learn to recognize faithful service as the true element of greatness and as real heroism! Looking over the history of Kansas and considering the long list of names enrolled as founders and builders of the State, one finds, indeed, that some have had more potent influences than others, not only because of greater individual power and genius, but also on account of larger opportunity. But not all the glory of the founding and building of the commonwealth may be rightly claimed by the leaders, whether self-constituted or whether so made by the law of gravity of character or the force of circumstances. There have been many builders of the commonwealth; great, all of them, in the results of their work, for it took the coöperative labors of them all to achieve success in building a State and making it habitable and desirable for free men. Let us therefore try to banish unjust comparisons from our minds and from the printed page, and endeavor to make the life of each stand alone upon what he actually did.

While it not easy to estimate the services of the prominent leaders in early Kansas history, it is even more difficult to determine the positions of those worthy ones who

in their own several stations of life did their whole duty to the cause of freedom. What of Wood, Reeder, Goodin, G. W. Brown, Deitzler, Walker, Blood, Cracklin, Ewing, Parrott, N. J. Adams, Anthony, Woodward, Thacher, Morrow, Conway, Speer, S. C. Smith, Tappan, Holliday, Learnard, Legate, Jenkins, Moore, Edward Clarke, and many others who at different times stood firmly for Kansas, and did valiant service for the Free-State cause? Their deeds of valor and services to their country must not be overlooked simply because they are not the subjects of this story. In due time the historian will record their lives, every one in the annals of the State, among those who served their country well. Nor must we forget the great rank and file of settlers and patriots who acted, suffered and endured for the sake of humanity, though they cannot receive justice in a single volume confined in the main to a single course of events respecting what one man wrought. Yet the young Kansan, born under the sunny skies and beneficent influences of the present free community, looks back with pride upon these actors in this tragedy of a commonwealth, whether leaders of a party of people, actors in legislative halls, or sturdy soldiers in the rank and file of life; and his heart burns with enthusiasm, and his cheek glows with pride as he ponders upon this early struggle, and he would count it a privilege to be numbered among the least of these worthy patriots.

VI.

From the life of Charles Robinson much of the early history of Kansas radiates in every direction as from a common center, and his biography cannot be written with-

out touching history at many points. How difficult the task, to extract from the great mass of information at hand that which will give a real life-picture of the man; how delicate the work of portraying truthfully all that he did and was in private life and public service! In this presentation the writer has endeavored faithfully to abide by the rigid and unyielding truth as it appears to him after a careful weighing of all historical evidence at his command. Care has been taken not to write into the life that which did not exist, a common failing of biography and a difficulty not easily avoided; although, perhaps, there is less danger here than elsewhere, because there was no ether of romance enveloping Robinson's earnest life, and no strange mystery about his going and coming among his fellows. Nor was there any transcendent genius, bordering on insanity, that rendered his life and nature difficult to understand. He was a plain man of the people, with an earnest character which inevitably revealed itself to those who came in contact with his daily life. He followed closely the line of conscientious duty, without fear and regardless of consequences. His life is not a fit subject for the romancer or hero-worshipper. But, as a man who did his duty fearlessly and with great consequences to the community and the State, he is worthy of the admiration of his fellow-citizens and the affection of those whom he personally befriended. He who writes best about Robinson will tell without embellishment the plain story of his life, for the life will then speak for itself, its real nature and its lessons of wisdom.

THE LIFE OF CHARLES ROBINSON.

CHAPTER I.

EARLY LIFE.

It is not uncommon for men of great importance to have made no remarkable or unusual record in their boyhood days. Such, indeed, was the case with Charles Robinson. Born in the town of Hardwick, Massachusetts, July 21st, 1818, his early life was that of the ordinary New England youth of the time. Prosaic and simple as this life was, however, there were in it certain influences which helped to shape his future. And, in the meager data given us concerning his youth, there are revealed many characteristics which point toward the sturdy character of the man.

In the first place, Robinson descended from sturdy New England stock. His father, Jonathan Robinson, was a farmer, a zealous antislavery man of decided religious views, who traced his ancestry to the John Robinson of Plymouth Rock fame; a man strong and uncompromising with any appearance of evil. The mother of Charles Robinson was Huldah Woodward, of a New England family not prominent in the records, but not the less for that reason to be honored. There were born to these parents ten children, six boys and four girls, to whom they desired to give as good an education as was possible in New England at that time.

Perhaps the homelife in New England, with its frugality, neatness, discipline, and close sympathy between the members of the family, was the most important factor in the education of the times. It had been the saving fact of New England life, as it was to be of that larger life that was to move westward to fill the valleys and plains, and to envelop the mountains of the continent. What a line of sturdy pioneers have emerged from the homes of New England and gone forth to subdue the West!

Their home was a most hospitable one — to and from it friends came and went. In the simplicity of their lives they could give hearty welcomes; the gathering of warm friends with the family added much to the charm of the homelife. The genuineness of this homelife was not concealed by the artificiality so characteristic of modern social life. There were two or three much-loved cousins who often added to the home circle their sprightliness and affection. There were other young people, too, who said they always chose their time for a visit at father Robinson's during vacations, when Charles should be at home, for his constant love of joking and his keen repartee added much to the pleasure of their visit. There was, indeed, a vein of humor in his nature which the stern life-struggle too often suppressed in his after days. He frequently planned little home concerts which were always a joy, for the entertainment of guests.

As might be expected from a consideration of his subsequent life, Charles Robinson was a lover of nature, and very fond of straying off by himself, to sit down by the

brook, under the shadow of the trees, to catch its sweet music as it rippled over the stones, and to dream of future days when he should own a man's place and bear a man's part in the great struggle of life.

The religious life of the Robinson home was well regulated. Mr. Tupper, Congregational minister, was always welcomed to the family circle, and until the close of Gov. Robinson's life he was always spoken of with great affection by the Governor. The mother of the family looked carefully after the Sunday-school lesson, and every Saturday night the flock of children gathered around the table to learn all this lesson could reveal of morals and religion. They studied the lesson out of the Bible with the little concordance in it, so well known to the mother, aided by the light thrown upon it by Barnes, Greenleaf, and McKnight. She could point out the beauties of the literary style of the Bible, its figures and expressions, and as a daily reader, holding the great Bible in her lap, she was filled with the blessed spirit of Christ. It was often remarked by her children that they had never seen their mother angry, though she lived to the advanced age of eighty-seven years.

Charles was born with a strong will and a defiant temper. During a time of religious awakening, when he was about sixteen years of age, he thought deeply and reverently, and at last came to the conclusion that his will must be controlled, that he must not yield to his temper again. A turning-point had been reached, and a change came into his life. His mother's admonitions, his minister's kind advice and Mr. Stone's life-giving presence had accom-

plished a transformation. He bound to his heart the motto which he loved:

"The Upas tree when riven,
Perfumes the ax which laid it low.
Let man, who hopes to be forgiven,
Forgive and bless his foe."

And he promised daily consecration of the best that was in him to holy living. The result of this, his first and only great religious awakening, was to make life and religion henceforth identical with him.

After the New England custom, young Robinson's attendance on church was regular.¹ He took his place in the village choir, playing the clarinet, an instrument of which he was then very fond and which afforded him much pleasure in after life. Later in life, however, he severed his formal connection with the church. To show the change that subsequently came over his religious beliefs, it may not be out of place here to refer to a few events, insignificant in themselves but of great importance as indicating this change.

A small hamlet, named Storrsville, had sprung up at the adjoining corners of four towns. For the accommodation of the people a school-house and an unpretentious church were built at the center of the village. As this village was nearer the Robinson home than was Hardwick, which was situated in the opposite direction, the Robinson family turned their steps thitherward on Sundays and on other days of religious worship or festival. But, as time went on, the little group of Congregationalists found it

¹ As one carriage was not sufficient to carry the entire family, young Robinson found it necessary to walk. Thus, with work on the farm, with journeying to and from school and church, he had sufficient opportunity for exercise.

difficult to pay their minister and maintain services at Storrsville. Finally the minister was invited to become the pastor of the church at Dana, one of the four towns whose little corner had been taken up by Storrsville, and the church members were to be transferred to Dana with their pastor. But as Charles Robinson was attending school at Hardwick, his name was left upon the church rolls at Storrsville. Subsequently, in the year 1852, when Robinson was practicing medicine at Fitchburg, he received a letter from the pastor of the church at Dana asking him to come over and state his views and belief and take a letter to the Fitchburg church, "if he should prove worthy to receive it." Dr. Robinson complied with the request, and, accompanied by Rev. Elnathan Davis, pastor of the Fitchburg church, "a most gifted man, full of the spirit of peace and good-will," went to Dana to be examined and to receive his letter. The questions were those which are sometimes asked of young ministers in the church of the present day. They were chiefly as follows: "Do you believe in God? Do you believe the Bible is inspired, every word of it? Do you believe in future punishment? Do you believe in the Atonement?" and various other questions concerning predestination, election, and free will. Dr. Robinson answered these questions in his own way, which indicated the independence of his religious belief, and, as it appears, severed his formal relationship with the church, for he never afterward formally united with any church organization, although he favored all denominations as agencies for good. His answers to the questions asked were essentially these:

"I believe in God, the maker of all things, who still

abideth in all things. In him we live and move and have our being."

"I believe the Bible inspired, so far as it is truth. As a history of the Jews, many legends are woven into its story, and many statements which no thoughtful man can believe true."

"I believe every man will receive his reward for every deed done in the body, and there is no escape from the penalty of sin. Every human being must listen and follow the inner voice implanted in him by the great Creator, and look upon his life as a heavenly mission."

"The Atonement is the At-one-ment of the great Father with all his children. They learn by following the blessed life of Christ how to become one with him, as he is one with the Father. Were they not free to follow this most inspiring exhortation, it would be most cruel."

Nothing more was ever heard of that little examination of Dr. Robinson before the pastor at Dana, and for anything he ever knew, his name may yet stand alone on the old Storrsville church records, in that little decaying hamlet, which in its loneliness seems almost to be forgotten of God.

He had one great sorrow in those early days, by which he was much influenced. He was exceedingly fond of his eldest brother, John, who was twenty-five years old, a man of fine presence and excellent countenance, tall and commanding. Charles often wished as he looked at his brother's beauty of form and figure, that he might grow up to be as well formed as this brother. Early in life John thought the time had come for him to leave New England and to try his fortune in other lands. So, one bright

autumn day he bade them all good-by. It was hard for the mother to say the last words and look her last upon her stalwart son, as he took his leave to go to New Orleans. One letter came to them from Cincinnati, which announced that he was well, and expected to leave soon for New Orleans; but they never heard from him again, and though sometimes some little clue would be given whereby they hoped to learn of him, no word ever came, and to them all it was a lifelong sorrow, especially to the younger brother, who had taken such a pride in the eldest born.

It was exceedingly fortunate that Jonathan Robinson was zealous concerning the education of his numerous family. Young Robinson was sent to the private school in his native town, which was situated about three miles from his home. Here, under the tutorage of a certain Mr. Goldsbury, he made rapid progress in the elementary branches. Mr. Goldsbury was a Universalist preacher, and he possessed the happy faculty of teaching mathematics well. His pupils grew strong under his instruction. Subsequently, a Mr. William B. Stone, a student from Amherst, taught the neighborhood school, and succeeded in arousing in young Robinson much enthusiasm for study. This was the real beginning of his career, for under the direction of this able instructor his mind began to show independence and originality of thought.

The pleasant little district school-house among the trees near the roadside was only a few rods from Mr. Robinson's farm-house, hence it was convenient for Mr. Stone to make his residence in the Robinson home. He was essentially a good man, thoroughly imbued with the spirit of the times, and, while using every energy to educate himself

for the high purposes of life, he was careful to give aid to those about him. Hence, his daily presence in the house was of untold benefit to all the members.

In the Robinson home there was much conversation on all matters which were then filling the public mind; matters so engrossing that life seemed to be absorbed in them. Among other vital questions were: How should the country free itself from the strong grasp of slavery; how should intemperance be suppressed; how should the growing youth of the country come to the estate of manhood and womanhood, noble and self-sacrificing, pure in heart and pure in all things relating to themselves? Mr. Stone was an apostle of good not only in the home, but in the neighborhood.¹ Temperance practices were strongly advocated. Cold water as it came sparkling from the clear founts of God was the only beverage tolerated. Even the elder Robinson gave up drinking his cider, which he had thought quite necessary to his happiness. Through the influence of such a character, they unconsciously began to follow very closely Mr. Emerson's motto, "Plain living and high thinking." Physical laws were to be kept unbroken as well as moral and intellectual, and health would be the reward.

At the age of seventeen young Robinson was sent to the Hadley Academy.² While he had sufficient help to enable him to utilize the advantages of education, he was thrown sufficiently upon his own resources to make him develop a sturdy independence and a manly character. For as eight

¹ See Appendix A, note (a).

It is but a few years since the Cambridge (Massachusetts) papers paid a glowing tribute to his talent in teaching, and to his great moral worth. On his last visit to New England Governor Robinson said to Mr. Stone, "All that I am I owe to you."

² See Appendix A, note (b).

other children graced the home of Jonathan Robinson, it now became necessary for the youth of seventeen to begin in some measure to shift for himself; a great privilege to the boys of olden times, and a fashion which has not quite gone out in modern days. After a year at Hadley, Robinson entered Amherst Academy, where he again exercised the privilege of self-support. The authorities gave him the privilege of making the new desks and seats for the use of the academy. Therefore in the basement of the building was established a workshop wherein he wrought at carpentry to pay tuition, and where he at intervals pondered over the principles of philosophy. Subsequently, while pursuing his studies, he taught three winter schools, respectively at North Hadley, West Brookfield, Massachusetts, and at Norwich, Connecticut.

It was but a step from Amherst Academy to Amherst College, although he had not completed the full course at the academy. After remaining in Amherst College for a year and a half his eyes failed, and he found it necessary to walk to Keene, New Hampshire, forty miles away, to apply to Dr. Twitchell for medical aid. Always on the lookout for opportunities, as every youth must be, he concluded to accept an invitation to study medicine under Dr. Twitchell. Possibly it might have been better had he remained at the academy and subsequently at the college until both courses were completed, before entering upon his medical studies. However, he did what many another person has done, who, lacking the proper direction of others, seeks his own course, abandoning conventional curricula, and succeeding in his own way.

After remaining with Dr. Twitchell six months he at-

tended medical lectures at Pittsfield, Massachusetts. Dr. Childs, who afterward became Lieutenant-Governor of Massachusetts, was then president of the institute. After the course of lectures was completed at Pittsfield, he studied for a time with Dr. Gridley at Amherst, and subsequently attended lectures at Woodstock, Vermont. Dr. Rush Palmer, much celebrated in his day as an eminent physician and lecturer, was at the head of the Woodstock institution. Robinson finally returned to Dr. Gridley and remained with him until his medical education was completed. His educational career would be considered erratic for a medical student of the present day, but it served to give a full medical education according to the requirements of the times. His peripatetic education, so far as possible, furnished what the youth of to-day finds concentrated in the modern medical college with hospital attached. It appears at least that this education was sufficiently thorough for a most successful medical practice.

In 1843 Dr. Robinson commenced the practice of medicine at Belchertown, Massachusetts.¹ The town was of the old New England type, covering a large area, being fourteen miles long and twelve miles wide. Dr. Robinson's practice was very large, and as the town was situated in a hilly district in Hampshire county, his numerous visits required excessive labor. When he was fairly settled at Belchertown, he at once took his place as an active citizen of the town. He used the profession of medicine as a means of educating the people. He never failed in his practice to give valuable hints as to what course of living would give them health, and advised them that it was better to

¹ See Appendix A, note (c).

keep well than to send for a physician to cure them of disease. He tried to impress upon them the fact that health of body, as of soul, was intrusted to their own keeping,—hence they should learn thoroughly the laws that govern both. There were many families that looked to him for guidance, rather than for medicines. He never joined the Medical society, because he could not accept its cast-iron rules; for he felt that he had the right as a physician to learn from any practitioner of any school, what was best for poor ailing humanity, and when he met his old instructor, Dr. Childs, at Pittsfield, and the latter rallied him upon his absence from the medical meeting at Fitchburg, his reply was simply, "Am I not following out your teachings?"

Dr. Robinson was interested in the town schools, and was soon placed upon the School Committee. He identified himself with the people, and was often at the little literary circle. To its program he frequently contributed some spicy article which would occasion much discussion. He was a frequent attendant at the Sunday-school teachers' meetings, and a constant worker for temperance. Then, as later on, he found the question of temperance a difficult one to deal with. In the solution of the problem he insisted on justice to all. If the selling of strong drink at the hotels could not be stopped, why should poor old Captain Burt be prosecuted in his little workshop, where he sold an occasional glass to a poor neighbor?

Just at this time, John W. Noyes was preaching the new salvation from sin; that all days were holy time; that the injunction, "Be ye perfect, as also your Father in Heaven is perfect," could it not be obeyed, would not have

been given. There was a handful of people at Belchertown who had become much interested in Noyes's preaching. Noyes was well educated, being a graduate of New Haven Divinity School, and he exercised much influence over his followers. They held their little meetings, and occasionally the stroke of the hammer was heard in their dwellings on Sunday. But the minister of the Belchertown Congregational Church was not a broad-minded man; hence, he would not let the poor harmless people rest unmolested in their beliefs and practices. Law-and-order meetings were called, and much angry spirit was aroused. Dr. Robinson's sympathies were with the persecuted Perfectionists, as those who knew him might well suppose, and he was glad when one after another they followed Noyes to Oneida, New York, and quiet reigned again in that lovely hill town.

At this juncture an event occurred which was of vital importance to Dr. Robinson. He was summoned to attend the daughter of Myron A. Lawrence.¹ Miss Lawrence, while at school, had met with a severe accident, having fallen upon some steps with such violence as to injure her spine. Her natural vigor had declined, and a sympathetic blindness had set in. Various physicians had exercised their skill upon her to bring back her health, with not very good success. One evening in the late autumn of 1843, the lamps had been lighted and the family of Mr. Lawrence were taking their supper, thus leaving the little girl alone, lying on the large sofa in the sitting-room, to watch the firelight in the fireframe and dream her dreams. She was thinking of the days to come, whether they were to

¹ See Appendix A, note (4).



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be for her many or few; whether they were to be days of tiresome inactivity, perhaps even of hopeless invalidism. All at once there was a gentle ringing of the doorbell, a quick step in the hall, and then the door into the sitting-room was opened almost instantly and Dr. Gridley of Amherst walked in. He said "Good evening," to the little girl as he came toward the sofa, but she made no reply. With the firelight only, and her weakened sight, she could not at first tell who the gentleman was. Then he said, "Well, don't you know *me*—Dr. Gridley? And I have come to introduce you to your new doctor—Dr. Robinson." There was a brief consultation over the case, and Dr. Gridley's suggestion to send to Boston for Spanish leeches was followed out. The next night after they had been used, they crawled out of their bottle and under the thin muslin cover, and went to their death in the bed of coals raked up on the hearth. At least so it was supposed, for they were never seen more. When the young doctor made his next visit he said he thought blisters and cups and leeches had been given sufficient trial. Would it not be better to try some new methods, less wearing upon the nervous system? Accordingly, Dr. Robinson made a quick journey to Hartford and came home at evening well satisfied with his purchase of a galvanic battery. There was immediate gain from this change of treatment, and it continued to be rapid and sure. The young Miss Lawrence regained her health, and years after became the wife of her successful physician.

Dr. Robinson threw his whole zeal and energy into his work at Belchertown, which proved to be a great strain on his not over-rugged constitution. Consequently, in the

spring of 1845 he went to Springfield, Massachusetts, and there opened a hospital for practice. In conducting this hospital he associated with him Dr. J. G. Holland, a well-read physician, and subsequently widely known on account of his literary career. He was a native of Belchertown, and had been a room-mate of Dr. Robinson at Pittsfield, where the two became well acquainted. Dr. Holland was a fine singer and a most companionable man, but not a very successful practitioner. His literary career is well known, as he was the writer of many books, and the first editor of *Scribner's Monthly*.

While at Springfield, Dr. Robinson found it impossible to confine his work to hospital practice, and so his visits extended far and wide in Springfield and the surrounding towns within a radius of twenty miles.

In the summer of 1843, soon after he commenced practicing at Belchertown, Dr. Robinson was married to Miss Sarah Adams, of Brookfield, Massachusetts. Two children were born to them, both dying in infancy. On the 17th of January, 1846, while he was practicing at Springfield, his wife passed from this life. This loss had a lasting effect upon his character, and appears to have changed the entire course of his life.

Failing in health on account of excessive practice and broken in spirit on account of his severe loss, he was induced, in the spring of 1846, to leave Springfield and go to Fitchburg, where his brother Cyrus was located.¹ He at once entered into the life and activity of the town, doing with his might what his hand found to do. It was healing for his spirit, for it was ever his method to find cure for

¹ See Appendix A, note (c).

his own sorrows in active work for others. His love of music now led him to become the first bass singer in Rev. Mr. Davis's church. When possible he met with the choir at rehearsal, and once a week with the singers at some private house. Many young men, just commencing practice in law or medicine, had located in the town, and other young men fresh from school were glad to unite with them in a weekly debating lyceum which interested itself in all important matters of a public nature. The town hall contained a full audience when Dr. Robinson was known to be one of the debaters, for he often had a way of looking at the subject which was quite novel to his hearers. It was there he became fully convinced that to make men temperate, not only in what they should drink but what they should eat, and in all matters of living, they must be educated in the laws of their being, and learn to obey them. They must realize that to break one of these laws is to break a law of God, and there can be no escape from its penalty. About this time he became a charter member of the Sons of Temperance, and gave the order his hearty support.

In Fitchburg he was one of the School Committee, and at this time there were some little mischievous boys there who gave the teachers much trouble. The teachers had come to the conclusion that punishing was of no more use, and were at a loss to know what to do to make them obey the laws of the school, when Dr. Robinson said, "Send the unruly boys to me." Not one of them ever came twice. We do not know what was said, but they were doubtless words convincing them that they were working for their own hurt, words of persuasion that only in themselves lay

the power to be dutiful scholars in school, obedient boys at home, and respected citizens when they should take their part on the stage of action. The light upon their faces as they went out of the house was very different from their sullen look when they came in, showing that new thoughts had taken possession of them.

It appears that wherever Dr. Robinson went, he soon became overburdened with excessive practice. This was true at Fitchburg to such an extent that he was soon worn out with the duties of his profession. Night sweats and a severe cough which now attacked him indicated his critical condition. While he was casting about what to do for his health, thoughts of a trip to California were prominent in his mind. About this time a company was being formed in and around Boston for an overland trip to California. The first party to set out for San Francisco from Boston and central Massachusetts had sailed in January, via Cape Horn. The success of Dr. Robinson as a practicing physician and his wide reputation in different parts of Massachusetts caused the Boston Company to accept him gladly as the company's physician on their route to California. So, on March 19th, 1849, he started out with the first company from Boston to the Golden Gate, passing through St. Louis and overland through Kansas. The adventures of this trip, many of which border on the romantic and even marvelous, will be recited in another chapter.¹

¹ See Chapter II.

CHAPTER II.

CALIFORNIA ADVENTURES.

AN incident in the life of Robinson is about to occur which will change his entire future. In a peculiar way he is to become interested in the emigration to California.¹ For it was at this time the whole country was aroused by the discovery of gold in that country. Men everywhere caught the fever, and were hurrying westward in the vain endeavor to be first in locating mining claims. Not only the adventuresome West but the staid East was stirred with unbounded enthusiasm. Thousands from every part of the United States took up the long journey overland to the new El Dorado, or by boat passed by way of the Isthmus, or by steamer "round the Horn," to San Francisco.²

In the winter of 1849 a party was formed in and around Boston for the purpose of emigrating and settling in California. "This party was composed of men of all classes and professions, including tradesmen, clerks, manufacturers, mechanics, farmers, and laborers. It was organized in the form of a military company, with a full list of officers from captain down. The privates and non-commissioned officers wore gray uniforms, while the commissioned officers wore navy blue. An assessment was made upon each member, and all property was purchased and controlled by the officers." In this strange company, having

¹ See Chapter III, Kansas Conflict.

² The first steamer bearing a party from New England left Boston in January, 1849. Two friends of Dr. Robinson, N. D. Goodale and Enoch Burnett, were members of the party.

the form only of military organization but without military discipline, was found Charles Robinson, who had entered as physician to the company. He was to be relieved of all responsibility other than the care of the sick. The nature of the man, however, rendered it certain that other responsibilities than the care of the sick would be thrust upon him. For in any association of men, those of superior judgment and ability are sooner or later called into general service, and so it proved in this case.

This small party left Boston on March 19th, 1849, and started overland, traveling by railroad and canal to Pittsburg and thence by steamer to Cincinnati, St. Louis, and finally to Kansas City, or what was then known as Westport Landing. The whole journey was without striking events except the ordinary experiences of a long journey into a new country, which always brings with it a renewed interest from day to day as sights and scenes change. In the short pause at Cincinnati, Dr. Robinson bought a beautiful cream-colored horse, which became a great companion and pet throughout the entire journey to California, and was subsequently killed in the squatter riots at Sacramento. As they moved farther westward new classes of people boarded the steamer, and the New England party had an opportunity of forming the acquaintance of people from Missouri and the South. They were introduced, too, to the freedom and recklessness of the wild frontier life. They entered a land where law seemed much farther removed from contact with the people than in staid old New England. Knowledge gained on this trip of the class of people that were pouring into the West was of great service to Dr. Robinson in his subsequent career in Kansas.

Soon after the steamboat left St. Louis on its journey up the Missouri river, cholera broke out among the passengers. At this time much less was known about this dread disease than at present, and medical science in general had not yet demonstrated its ability to cope with it under favorable circumstances. The physician of the Boston party was soon called into service. He was without medical library, and without any practical knowledge of the disease. His information concerning it consisted of meager descriptions in the few books that he had read which touched upon the subject. The conditions on board of a river steamer were not favorable to the suppression of the disease. Thrown upon his own resources, he adopted the following plan of treating the disease, which is best described in his own words:

"It was found that all the fluids of the body were leaving the surface and pouring into the alimentary canal. The features became pinched and anxious, the skin pallid and bloodless, and the muscles of the extremities were affected with painful cramps. What was to be done? Evidently the first thing to be done was to reverse the vascular and absorbent machinery and send the fluids back to the surface and other parts of the system and relieve cramps. What would accomplish this result, and did the medicine chest contain the required remedy? On examination, the doctor found tincture of opium (laudanum), tincture of camphor, and compound tincture of capsicum (hot drops). The first two would have a tendency to send the fluids to the brain and surface and relieve spasms, while the last would excite action of the vascular tissue and absorbent systems. Accordingly, these tinctures were taken in a mixture of equal parts, and administered in teaspoonful doses once in fifteen minutes, more or less, according to symptoms, till the flow of fluids should be reversed and the cramps cease. Fortunately, this treatment proved successful in every case where applied on first attack of the disease."¹

When the boat reached Kansas City the military com-

¹ *Kansas Conflict*, p. 29.

pany was in a state of dissolution. As is frequently the case in all organizations of similar character, suspicions soon attached to the officers, who were accused of mismanagement, and a general discontent arose. So intense was the feeling on the part of the members of the association that no settlement of difficulties could be reached without a division of the party, and this of course necessitated a division of the property. Therefore two parties were formed, and Dr. Robinson was appointed one of a committee of three to assist in the division of the supplies and the settlement of the difficulty. This process occupied nearly five weeks of time, and it was the 10th of May before the parties were ready to start on their journey westward. But the time was not lost to the observant nature of Dr. Robinson, for he studied the habits and characteristics of the people and learned something of Western farming and stock-raising. Much of his time was also consumed in the care of the sick, for during the first night after their arrival in Kansas City nine citizens were attacked with the cholera, and died. The services of the physician of the Boston party were again called into requisition, and during his entire stay he had an opportunity to exercise his professional skill to the utmost in caring for victims of the cholera. Upon the whole, the delay proved profitable and useful to Dr. Robinson; and on the other hand, perhaps in no period of his life did he serve humanity better than during these few weeks' stay in Kansas City. Nor were the days in Kansas City without recreation, for in the long delay while they waited for the grass to grow on the plains, or engaged in the tedious division of the property of the company,

the spare hours at the little house where they boarded were enlivened with music. Dr. Robinson had bought a clarinet in Cincinnati. A young friend of his played the flute well, and the two furnished music to the neighbors of the temporary home during the evenings of waiting. The old Western farmer thought Dr. Robinson and the young man from Roxbury would do better "givin' concerts than goin' to the gold diggin's."

Two parties instead of one were now to start on the long overland journey of over two thousand miles to the Pacific slope. Their organizations were completed by the 10th day of May, thirty days after their arrival in Kansas City, and instead of going in boats coursing on the muddy Missouri they were to travel in "schooners" over the rolling prairies of Kansas and the plains of the West, drawn by cattle and mules, or on horseback, as many did. It was a life of wild experiences, especially at first, for inexperienced men were now attempting to manage wild steers and wilder mules, hitherto unknown to yoke and harness. Thus, with inexperienced drivers and untrained animals, they were to enter upon a journey over a boundless country with ill-defined roads. A "schooner" would frequently be fastened in the mud, and endless delays occur for want of discipline and order. There was much experience in the way of searching for the best routes, the best crossing of streams, and for the best method of resisting attacks from Indians; indeed, the expedition became a little world of experience on wheels, in which all phases of human nature were tested. Those who started from Boston without experience lived years in a short journey across the plains.

A very interesting incident is related by Dr. Robinson in regard to the discussion which so frequently occurred among overland parties respecting Sabbath travel. On the first Saturday of the journey it appears that darkness overtook the travelers before they had reached water,—a very important consideration in overland travel. The next morning, which was Sunday, it was found upon investigation that the Wakarusa was only two or three miles away, and they decided to hitch up the teams and drive to water even though it was Sunday. This was so necessary that every member of the party readily acquiesced, even to the strictest Puritan among them. But when they reached the river and the stock had been watered, a question arose as to whether they should continue travel on Sunday or not, as they were already prepared to go on. After a controversy a vote of the party was taken, which favored Sunday travel. But they had not pursued their journey very far when an accident to one of the animals caused a delay, and Sunday travel had to be given up for that day. The remainder of the day was spent in theological discussion, one party maintaining that the accident was a judgment of God on account of their Sabbath-breaking, while the other attributed it to improper attachments of the coupling-pins and to bad driving. One party appealed to the Decalogue and the other called for its reading, and when read it seemed to enjoin the keeping of the seventh day and not the first. From the Decalogue the appeal was made to the New Testament, but it was found on examination that there was no sentence in the New Testament which enjoined the keeping of the Sabbath. As in most discussions of this kind, no settled con-

clusion was reached. But it is related that the men who were the strongest advocates of Sabbath observance were afterwards seen at the gaming-tables in Sacramento, betting with other sinners at "three-card monte." Dr. Robinson closes this narrative with the following sentence, which I give as expressive of his own peculiar characteristics: "Persons who depend upon outside pressure for religion are apt to adopt the customs of their surroundings when that pressure is removed; while the person who is governed by his own convictions of what is right and what is wrong, regardless of public opinion and public custom, will be but slightly influenced by externals."

The journey overland, though full of changes and daily happenings, cannot be followed in detail. They had the typical journey of the plains of those times, consisting of long, monotonous days, alternating with those of wild adventure and positive danger. An immense crowd, fully 20,000, had preceded them, and the grass was eaten off fully half a mile from the trail on each side, and water was scarce and difficult to obtain. Doctor Robinson had three horses,—Charley, Old "Zach" Taylor, and "Doctor Slop." At one time the party had to camp at night without water. During the night the horse "Doctor Slop" broke away from camp, and in the search for him on the following morning he was found quietly feeding by a bountiful stream of water, giving evidence of the acuteness of animals in the search for water. Not long after this they came to the St. Mary's river, in the desert, where they suffered for lack of food. Here Dr. Robinson's strength failed and a fever attacked him. His companions waited a day or two for him to partially recover, and then they all pro-

ceeded to cross the desert, Dr. Robinson having packed grass upon two horses for their feed through the waste. They spent one Sunday at the new town of Salt Lake City, where, under the direction of Brigham Young, the "desert began to blossom as the rose," although the Mormons had been there but two years.

The most important event concerning Dr. Robinson was an adventure which he had in the Platte river. It appears that some time had been spent in searching for the proper fording-place, the river itself always being deceptive in appearance. Sometimes when moving smoothly and evenly it appears like a deep flowing stream, while in reality the water may not be over three inches deep, flowing over a bottom of mud and quicksand. Searching for a fording-place, Dr. Robinson on his cream-colored horse plunged in to make the crossing. About midway in the river was a small island. This having been passed, the rider and horse floundered in deep water, and, becoming separated, the horse made for the opposite shore, while the rider returned to the island. While the rider was yet floundering in the water, the horse, from the opposite shore, gave a loud neigh, and plunged again into the stream, swimming toward the island, which he reached about the same time as the rider. He immediately came and stood over the prostrate form of Dr. Robinson until the Doctor was able to mount and ride out to the further shore. This little act of intelligence on the part of the horse endeared it very much to its owner. The horse was so docile that he was at home wherever the camp was, without hitching or tethering, and whenever his master approached he would leave off grazing and place his head over the Doctor's shoulder to be fondled and caressed.

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When the company reached Sacramento, on the 12th of August, 1849, Dr. Robinson had changed from a slender man of 145 pounds to a robust person of 170, with every trace of his pulmonary trouble gone.

The company, indeed, was no longer properly a company when it reached California. The organization so thoroughly completed in Boston before the party started westward, became finally wholly disintegrated, and its members reached the State in straggling groups. Most of the members entered the mines for the purpose of washing gold; others finally located in towns or on farm lands.

Dr. Robinson soon abandoned the mines and took up his residence in Sacramento, where he in company with others started a boarding-house, and at the same time practiced to a certain extent his medical profession. He found many poor people in the city who were in need of both food and medical attention. From the boarding-house many received aid to keep them from starving, and through the kind offices of Dr. Robinson were given, gratis, medical attention which saved their lives. Here as elsewhere he always showed a kind-hearted disposition to help those who were needy. This disposition to help sufferers and those who were dealt with unjustly led him to become a leader of the settlers' or squatters' cause in Sacramento.¹

In order fully to understand the position taken by Dr. Robinson in the squatter riots of Sacramento in 1850, it will be necessary to inquire specifically into the exact condition of the land question in California during the interregnum from the time of the occupation of California

¹ Bancroft's Works, Vol. XXXV, chapter XVII, — *Squatterism*.

by United States authorities in 1846 to the admission into the Union in 1850, and the subsequent settlement of land claims. It is one of the principles of modern civilization as regards international rights and usages, that in conquered territory or territory obtained by purchase, the property rights of all citizens living in the territory at the time of the change shall be respected and guaranteed. In the treaty between the United States of America and the Mexican Republic at Guadalupe Hidalgo February 2, 1848, approved by the President March 16, 1848, and proclaimed July 4, 1848, property rights are guaranteed. 'All land titles and property of every kind belonging to citizens within the territory are guaranteed to the owner. Freedom in the use and protection in the right of said property are guaranteed under the Constitution of the United States. These provisions make all *bona fide* titles granted by the Mexican or Spanish government prior to the occupation by the United States government, valid and secure.

It had been the custom of the Spanish government prior to Mexican independence, and subsequently of the Mexican government, through the Governor of California, and by well-defined laws and usages, to grant large tracts of land to individuals for the sake of colonization and occupation, the largest grant not to exceed eleven square leagues of land. The aim of the government was to settle the territory by granting large tracts of land to individuals to whom the government was under special obligations. Unfortunately, in the granting of these titles the language used in defining the territory was usually quite indefinite, and in those days no definite survey was obtained. Usu-

ally the limits of the grant were determined by well-defined natural boundaries, such as mountains and rivers. The result of this granting of lands so freely was, that by the time of the discovery of gold and the incoming of the settlers from the East, and in fact from all parts of the world, a large proportion of the fertile lands located in small tracts along the river bottoms had been covered by numerous grants. In addition to these genuine grants, many fraudulent ones had been made or assumed, which would seem to cover almost every available spot of fertile land in the State.

To add to this confusion, the State Legislature was powerless to make laws for the government of the State, as the latter had not yet been organized and accepted as a member of the Union. The courts also were in a disorganized condition, being in theory guided and regulated by the Mexican customs, which prevailed everywhere until American customs were adopted, but tending all the time to break away from the Mexican system and to adopt the American. There was, then, no adequate authority for testing land titles. Hence, when there came this sudden influx of settlers who were seeking lands to preëempt on the so-called "squatter rights," which had prevailed to such a large extent in the United States, the settlers found the lands all covered by rights resting upon Mexican grants, or by assumed titles which might or might not be legal. This was, of course, a great disappointment to the settlers; and when it was known that large numbers of fraudulent claims were being filed, and that men were using all means within their power, both fair and foul, to obtain possession of large tracts of land for the sake of

holding or speculating, the settlers looked upon themselves as defrauded of the rights of American citizens to settle wherever no legal title to land existed; for they believed much of this land to be a part of the public domain. They held that at least until title to lands should be decided by the Supreme Court of the United States, they had as good a right to settle on these lands and await the decision as anyone else. Evidently there was a great misunderstanding among the settlers because of the fact that the Mexican land titles were different from those of the United States. They had supposed that California, being open to settlement, was all public domain, similar to the new Eastern States and Territories when once these were opened to settlement. They had failed to realize that civilization already existed in California; that a government had been established prior to the American occupation and American purchase; and that persons living within the territory were entitled to property rights superior to those of new-comers or immigrants.

The situation at Sacramento was peculiar. In 1839 Sutter,¹ a man from Switzerland, had settled on the Sacramento river at the junction of the river with the American river, where he built a fort and established a colony. His possessions reached far and wide up and down the Sacramento, American and Feather rivers. He lived on his domains like a feudal lord of old times, with his men as servants, helpers, and a small army drilled for defense. In 1841 he received a grant from the Mexican government of eleven square leagues of land. In December, 1847, Sutter reported the white population of his grant as two

¹ Bancroft's Works, Vol. XXXV, p. 406. Kansas Conflict, pp. 38-41.

hundred eighty-nine, besides a large number of docile Indians, half-breeds, and Hawaiians. Sixty houses clustered around the fort, and six mills and one tannery were within the district. Thousands of bushels of wheat were raised annually in the fertile fields, and thousands of cattle, horses, mules, sheep and hogs grazed in the valleys and on the hills. In 1846 Sutter laid out the town of Suttersville, three miles below the fort, on the Sacramento river. Subsequently the town of Sacramento was laid out between Suttersville and the fort. So far as rights accruing from possession were concerned, Sutter certainly was the owner of this last tract of land. So far, too, as the intent of the grant by the Mexican Governor in 1841 was concerned, he had a clear title to the land. Unfortunately, by a blunder in the title deed the boundaries fixed for the territory covered over a thousand square leagues of land, and the southern boundary was placed some twenty miles north of the fort, at the junction of the Feather and the Sacramento rivers; hence, if the deed were strictly construed, the fort, Suttersville, Sacramento and the surrounding territory would be entirely excluded from the grant. The third and fourth sections of the grant read as follows:¹

“Third. The land of which donation is made to him is of extent of eleven sitios da ganado mayor as exhibited in the sketch annexed to the proceedings, without including the lands overflowed by the swelling and the current of the rivers. It is bounded on the north by los Tres Picas (Three Summits) and the 39° 41' 45" of north latitude; on the east by the border of the Rio de las Plumas (Feather river); on the south by the parallel 38° 49' 32" of north latitude; and on the west by the river Sacramento.

“Fourth. When this property shall be confirmed unto him, he

¹ Text and map of grant, in pamphlet, “Fraudulent Location of the Sutter Grant,” C. W. Holt, Sacramento, 1869. Kansas Conflict, p. 41.

shall petition the proper judge to give him possession of the land, in order that it may be measured, agreeable to ordinance, the surplus thereof remaining for the benefit of the nation, for convenient purposes. Therefore I order that this title being held as firm and valid, that the same be entered in the proper book, and these proceedings be transmitted to the Excellent Departmental Assembly."

It is evident from this that the intention was that Sutter should locate, by proper surveys, land to the amount of eleven square leagues within the boundaries described, and that the remainder within these boundaries should revert to the Government as national property. It is also clear that it was the intention of the Governor of California to include within this grant the fort and its surrounding territory, while in fact it excluded it entirely by the statements included within the grant.

To make matters worse, Sutter, who had little conception of the boundary of his own land, being in doubt at times whether his title covered the territory in which his fort, Suttersville, and Sacramento were located, and being harassed on every side by land speculators, only deepened the confusion of the whole matter by his prodigality. The case is thus stated by Josiah Royce:¹

"In 1848, when the gold-seekers began to come, Sutter began to lose his wits. One of the pioneer statements in Mr. Bancroft's collection says rather severely that the distinguished captain thenceforth signed any paper that was brought to him. At all events, he behaved in as unbusiness-like a fashion as well could be expected, and the result was that when his affairs came in later years to a more complete settlement, it was found that he had deeded away, not merely more land than he actually owned, but, if I mistake not, more land than he himself had supposed himself to own. All this led not only himself into embarrassments, but other people with him; and to arrange with justice the final survey of his El Dorado

¹ Royce: Squatter Riot of '50 in Sacramento; *Overland Monthly*, Vol. VI, (second series,) p. 237.

grant proved in later years one of the most perplexing problems of the United States District and Supreme Courts."

In 1860, the Supreme Court, in its attempt to settle the Sutter case, located the land in two tracts: one of two leagues, including the fort and city; the other of nine leagues, on the Feather river, including Marysville. In 1863 the District Court set aside this survey, and located the land in a long line of thirteen tracts between the same limits as before, with the idea of following Sutter's own selection of territory.¹ Subsequently the Supreme Court set aside this last decision, and restored that of 1860. Thus the Supreme Court recognized the grant to Sutter as given in good faith, although the title had been burned in a Sacramento fire. They attempted, amid great difficulties, to settle the matter justly and equitably. But if commissions and courts found so much difficulty in settling the land title of Sutter, it is easy to see how settlers would readily fall into the idea that the grant was irregular and illegal. Moreover, the grasping for land by Yankee speculators, the shrewd manner in which these Yankees were outwitting the old Spanish grantees and seizing the most fertile spots of California, tended to create a distrust of all land titles. The manner in which the speculators were obtaining control of large bodies of land seemed to the settlers like a process of robbery, by which they were defrauded of the rights of settlement on what they considered the public domain.

The squatter riot of Sacramento, however, arose on account of personal sympathy which certain individuals had for the squatters because of the cold and cruel manner

¹ C. W. Holt: *Fraudulent Location of the Sutter Grant, Sacramento*, p. 8.

in which many of them were ejected, on a pretended or real legal process, from lands claimed by others. The town of Sacramento was founded on land claimed by Sutter, and lots were sold directly by himself or by those persons who were granted territory by Sutter. The town, then, derived its right to be from the Sutter grant; and if this grant were valid, persons who bought lots in the town had a legal right to them. In the winter of 1849 settlers flocked to the city, and occupied with tents and shanties the vacant lands in and around Sacramento.

"In the midst of this rainy season, three men, including the Doctor, were passing along the levee between the slough near I street and the river, when they met a pretended sheriff and posse well charged with whisky. Curiosity caused the three men to stop and watch the proceedings. The posse went directly to a structure of logs and canvas, where was a sick man who had been fed and nursed by the Doctor for several days. This man was ruthlessly hauled from his shelter, and the logs and canvas leveled with the ground. One of the three watchers exclaimed, 'That is a damned outrage!' and the others joined in the exclamation. It was then and there the movement commenced that culminated in the squatter riot of the next year."¹

These men resolved that such actions should be reported to the people, and that if possible, such outrages should be prohibited. A meeting was called to be held on the levee that evening. A cord of wood was procured to furnish light, and small handbills advertising the meeting were printed and circulated. When the meeting was called to order the speculators and their friends monopolized the speaking. After several speculators had explained their side of the question in set speeches, Dr. Robinson made

¹ Robinson : *Kansas Conflict*, p. 37.

his way to the platform and offered the following resolution:¹

"Whereas, The land in California is presumed to be public land, therefore,

"Resolved, That we will protect any settler in the possession of land to the extent of one lot in the city and one hundred and sixty acres in the country, till a valid title shall be shown for it."

This was a bold assertion to make. It assumed that the Sutter title was not legal, or that Sutter's claims were greater than the law could warrant.² The resolution was received with great enthusiasm by the assembled crowds, and had its influence in preventing indiscriminate ejection of tenants. But in December, 1849, an ordinance was passed by the city council directing the removal of certain improvements from city lots occupied by squatters.³ After the passage of this ordinance a posse of several hundred men under the direction of the city marshal set out to execute the order, but the squatters organized into an association, and the president of the association met them at the first attempt to remove property, and boldly informed them that their authority to meddle with private property was not recognized by the squatters' association, and that if they touched the property they must kill the whole squatters' association afterwards. The little deputy marshal, well loaded with whisky, cried, "Shoot the scoundrel!" But as no one appeared desirous of obeying his order, the posse retired from the field leaving the squatter in possession.

¹ Robinson : *Kansas Conflict*, p. 38, *et seq.*

² C. W. Holt : *Fraudulent Location of the Sutter Grant*, p. 2. Royce : *Squatter Riot of '50 in Sacramento*; *Overland Monthly*, Vol. VI, (second series,) pp. 232-4.

³ *Idem*, p. 238.

The next step on the part of the land-owners was to have an act passed by the provisional State Legislature,—although the State was not yet admitted into the Union,—to provide for forcible entry and detainer, the land-owners hoping thus to secure possession of the land without a decision of the Supreme Court.¹

Suits in the local courts continued to be held, and in these suits the courts always decided that Sutter's title was correct, and rendered judgment against the squatters. The squatter had a right to appeal to the probate court by giving bonds for the satisfaction of judgment; but all bondsmen must be land-owners, and as the squatters were supposed not to be *bona fide* land-owners, the right of appeal was thus really cut off. The city council also proceeded to pass a municipal ordinance forbidding anyone to erect tents or shanties or houses, or to heap lumber or other incumbrances upon any vacant lot belonging to any private person or upon any public street.² The land-owners also formed a law-and-order association, and circulated handbills asserting their intention of defending their property. Numerous encounters of a minor nature occurred, but the agitation was gradually dying out on account of the absence of Dr. Robinson from the city for two months.³ On his return, in the latter part of July, the movement had fallen into the background of public attention and great discouragement prevailed among the squatters. Observing the situation of the courts, and seeing that no appeal could be taken from the decision of the local

¹ Royce: Squatter Riot of '50 in Sacramento; Overland Monthly, Vol. VI, (second series,) p. 238.

² Idem.

³ Idem.

courts, Dr. Robinson staked off several blocks of land in the outskirts of the city, put up a large tent upon them, and moved in. When the next trial occurred, he offered himself as bail. When the court asked him in regard to his title, he said it was as good as there was in the city. The justice held that he could not try titles, and must accept the bondsman on his assertion of a legal right to the property offered, whose value was placed at \$100,000. Soon after this came a trial of the appealed case before Judge Willis, of the county court.¹ The case was decided against the squatters, and an appeal was made to the District Court with the hope of finally reaching the United States Court, but it was denied. The defendant then asked an appeal to the Supreme Court, but at this time there was no law to sustain the appeal, and the motion was overruled, and the squatters were beaten. There was no opportunity to settle land titles in the State of California, except through local courts which had no jurisdiction over the public domain.

The trial caused a great deal of excitement. Both parties were excited to the utmost degree. The squatters had been denied the right of appeal. "They rushed from the court to excited meetings outside, and spread abroad the news that Judge Willis had not only decided against them, but had decided that from him there was no appeal. Woe to such laws and to such judges! The law betrays us. We will appeal to the Higher Law. The processes of the courts shall not be served. Dr. Robinson was not unequal to the emergency. At once he sent out notices

¹ Compare Royce: Squatter Riot of '60 in Sacramento; *Overland Monthly*, Vol. VI. (second series,) pp. 239-40. Bancroft's Works, Vol. XXXV, p. 408. *Kansas Conflict*, pp. 43-5.

calling a mass meeting of squatters and others interested, to take place the same evening, August 10. It was Saturday, and when night came a large crowd of squatters, land-owners and idlers had gathered.”¹

In this crowd were found all sorts of people. There were the land speculators and land-owners, settlers and squatters, and idlers and loafers. Quite a large number were disposed to take it all as a huge joke; but Dr. Robinson was serious enough for the occasion. He came forward to define his position, asserting that the time for moderation was passed, and offering resolutions denouncing Judge Willis and the law. These resolutions, in spite of a few dissenting votes, were carried by a large majority. Subsequently, numerous speakers crowded to the platform and harangued the public. The next day Dr. Robinson drew up a manifesto—an able, bold, and somewhat reckless document—stating clearly the situation and denouncing the attitude of the courts and the land-owners. The following is the manifesto as given by the Doctor’s own pen:²

TO THE PEOPLE OF SACRAMENTO CITY.

It is well known that a few individuals have seized upon nearly all the arable lands in this country, and the following are some of the means they have resorted to, in order to retain the property thus taken:

First. They have used brute force and torn down the buildings of the settlers, and driven them from their homes by riotous mobs.

Second. They have used threats of violence, even to the taking of life, if the occupant or settler persisted in defending his property, and thus extorted from the timid their rightful possessions.

Third. They have passed or procured the passage of certain rules

¹ Boyce, p. 240.

² Kansas Conflict, pp. 45-6.

in the so-called Legislature of California, for the purpose, as their attorneys affirm, of protecting themselves and removing the settlers from the land they may occupy whether *right or wrong*,—thus settling the question of title in an assumed legislative body, which question can alone be settled by the supreme government of the United States.

Fourth. Under said legislative regulations, by them called laws, they have continually harassed the settlers with suits, and in many instances compelled them to abandon their homes for want of the means to pay the costs of the courts. Many others have paid these costs with the hope of carrying their cause through these so-called courts to the proper tribunal for final decision, viz., the Supreme Court of the United States.

But these hopes were vain, for Judge Willis, so called, has decided that from his decision there is no appeal.

And now, inasmuch as the so-called Legislature is not recognized by Congress, and the rules and regulations not approved and are therefore of no binding force upon the citizens of the United States, but simply advisory, and inasmuch as the so-called law of "Forcible Entry and Detainer," if passed for the purpose affirmed by their counsel, namely, to drive off settlers, with or without title, is unconstitutional, and would be in any State, the people of this community called settlers, and others who are friends of justice and humanity, in consideration of the above, have determined to disregard all decisions of our courts in land cases and all summonses or executions by the sheriff, constable, or other officer of the present county or city, touching this matter. They will regard the said officers as private citizens, as in the eyes of the Constitution they are, and hold them accountable accordingly. And, moreover, if there is no other appeal from Judge Willis, the settlers and others, on the first show of violence to their persons or property, either by the sheriff or other person, under color of any execution or writ of restitution, based on any judgment or decree of any court in this county, in an action to recover possession of land, have deliberately resolved to appeal to arms, and protect their sacred rights, if need be, with their lives.

Should such be rendered necessary by the acts of the sheriff or others, the settlers will be governed by martial law. All property, and the persons of such as do not engage in the contest, will be sacredly regarded and protected by them, whether landholders or

otherwise, but the property and lives of those who take the field against them will share the fate of war.

Dr. Robinson's position was bold and his situation somewhat critical, for he had openly defied the local courts and committed himself to defense at arms. It was understood that the sheriff would take possession of the property under dispute on Monday morning, and it was necessary for the squatters to act then in defense of their property against the courts, if they ever expected to. In a letter written to Sara T. D. Lawrence, afterward the wife of Dr. Robinson, dated August 12, 1850, the situation is clearly and graphically described in the Doctor's own way. The writer feels it better to quote from this letter than to attempt an elaborate description of the situation:¹

"AUGUST 12, 1850.—Although I have written one letter, yet, as I have been called upon by circumstances to remain in town, and as I have a little leisure, I will talk with you a little, my dear S. Since writing you we have seen much and experienced much of a serious and important character, as well as much of excitement. The county judge, before whom our cases were brought, decided against us, and on Saturday morning declared that from his decision there should be no appeal. The squatters immediately collected on the ground in dispute, and posted, on large bills, the following: 'OUT-RAGE!!! Shall Judge Willis be dictator? Squatters, and all other republicans, are invited to meet on the Levee this evening, to hear the details.' It was responded to by both parties, and the speculators, as aforetime, attempted to talk against time, etc. On the passage of a series of resolutions presented by your humble servant, there were about three ayes to one nay, although the *Transcript* said they were about equal. Sunday morning I drew up a manifesto—carried it with me to church—paid one dollar for preaching—helped them sing—showed it to a lawyer to see if my position was correct, legally, and procured the printing of it in handbills and in

¹ *Kansas Conflict*, pp. 44-8. Royce: *Squatter Riot of '50 in Sacramento; Overland Monthly*, Vol. VI, (second series,) pp. 241-2.

the paper, after presenting it to a private meeting of citizens for their approval, which I addressed at some length. After a long talk for the purpose of consoling a gentleman just in from the plains, and who the day before had buried his wife, whom he loved most tenderly, and a few days previous to that had lost his son, I threw myself upon my blankets and 'anxiously thought of the morrow.'

"What will be the result? Shall I be borne out in my position? On whom can I depend? How many of those who are squatters will come out if there is a prospect of a fight? Will the sheriff take possession, as he has promised, before 10 o'clock A.M.? How many speculators will fight? Have I distinctly defined our position in the bill? Will the world, the universe, and God say it is just?—etc., etc., etc. Will you call me rash if I tell you that I took these steps to this point when I could get but twenty-five men to pledge themselves on paper to sustain me, and many of them, I felt, were timid? Such was the case.

"This morning I was early on my feet, silently and quietly visiting my friends, collecting arms, etc. Our manifesto appeared in the paper and bills early, and the whole town is aroused. Nothing is thought or talked of but war. About two hundred men assembled on the disputed territory, and most of them sympathized with us. A few, however, were spies. We chose our commander, and enrolled such as were willing and ready to lay down their lives, if need be, in the cause. About fifty names could be obtained. I managed, by speeches, business, etc., to keep the spectators and fighters mingled in a mass, all unarmed, so as to let no one know that all were men of valor and ready to fight. While thus engaged, the mayor appeared and addressed us from his saddle—not ordering us to disperse, but advising us to do so. I replied, most respectfully, that we were assembled to injure no one, and to assail no one who left us alone. We were on our own property, with no hostile intention while unmolested. After he left, I with others was appointed a committee to wait upon him at his office, and state distinctly our position, etc., so that there could be no possibility of mistake. He said he would use his influence as an individual to keep anyone from destroying our property, and told us the sheriff had just told him that the executions from the court had been postponed. We returned, and after reporting, and making some further arrangements for another meeting if necessary, we adjourned. I told the mayor we should not remain together if no attempt was to be made to execute their warrants, but I told him that

if in the meantime a sheriff or any other person molested a squatter we should hold him responsible according to our proclamation. From this position we could not be driven, although we knew it to be in violation of the regulations of the State. We were prepared to abide the result.

"It is said that a writ is made out for my arrest, as a rebel, etc. If so, it will not probably be served at present."

The conflict was soon precipitated by the sheriff, who appeared soon after the squatters had dispersed, removed the property and furniture in dispute, and placed a keeper in charge. Several squatters were arrested and sent to the prison-ship.¹ During the day leading squatters sought to escape arrest, and a meeting was held in Dr. Robinson's tent at night. After a full discussion of the subject, a plan of procedure was adopted. All the squatters who had pledged themselves to defend their interests were to meet early the next morning under an oak tree in the outskirts of the city, and thence march to the disputed property and retake it. An ex-soldier of the Mexican War by the name of Maloney was chosen as military leader.² To avoid arrest Dr. Robinson and Maloney spent the night at the latter's cabin, six miles outside of the town. Early the next morning they rode to the appointed place, but much to their surprise found not a solitary squatter. The courage of those who had asserted boldly that they would defend their rights, seemed to have disappeared. Dr. Robinson and Maloney started out to rally their forces, and found after a search that some of the loudest in the protestation against abuses and the boldest in promises were in bed, trembling at the hint of war. It took four or

¹ Bancroft's Works, Vol. XXXV, pp. 408-9. Kansas Conflict, p. 48, *et seq.*

² Compare this and following with Royce: Squatter Riot of '50; Overland Monthly, Vol. VI, (second series,) p. 242.

five hours to muster fifteen men, who were drilled a short time by Captain Maloney before setting forth on their errand. The soldiers were sworn in to obey the orders of the commander or be shot as a penalty. The situation was not encouraging. After a day and a night had been spent in vigorous work, an army of only fifteen armed and equipped men could be mustered to take the field. Maloney, who began to swell with military pride, desired to ride the Doctor's cream-colored horse. Dr. Robinson was armed with a Colt's six-shooter rifle. This had been lent to him by a gentleman who sympathized with the movement, and who had recently arrived across the plains. At noon of a very hot day, August 14, the order was given to march, and the little squatter army of fourteen men and one commander marched seven abreast down N street, though insignificant in number, very warlike in appearance. They had not gone far before a crisis occurred in their own ranks. The house of a citizen by the name of A. M. Winn, former president of the city council, was on the line of march, and it appears that the commander, Maloney, had a bitter grudge against him. As the little army approached the house, the commander turned upon his horse and said he would order that house destroyed. Up spoke the Doctor from the ranks and denounced such a proceeding as fatal to the entire squatter movement. The commander apparently abandoned his purpose, but when directly opposite the house he turned again and said, "We will never have a better time," and was about to give the order to fire the house. From the ranks of the little army Dr. Robinson sprang forward, rifle in hand, and shouted to the foolhardy commander, "If you order

that house destroyed, I will blow your brains out!" This was a peculiar situation. Here was a private who had fifteen minutes before sworn to obey the orders of the commander, on penalty of being shot, jumping from the ranks and threatening to shoot the commander if he did not obey the orders of a private. Dr. Robinson was not a little disturbed at the commander's apparent lack of judgment, and especially his lack of comprehension of the issue involved. It was evident that Maloney must be checked or the warfare would be turned from an attempt at the protection of the helpless squatters in their rights to an attempt at the wanton destruction of the property of peaceful citizens. Even with the utmost check upon his reckless conduct, Maloney apparently disgraced the cause by movements lacking in judgment.

Finally the house and property in controversy were reached, and as the keeper placed in charge by the sheriff was absent, the squatters took formal possession and replaced the furniture and property in the house where it belonged.¹ The Doctor, desiring to get the squad out of the city in another direction, advised that they visit a lot on I street, where lumber had been deposited upon a squatter's claim without the owner's consent. On arriving at the lot on I street, it was found that the person who had deposited the lumber there had done it only as a matter of convenience, and had no designs on the lot; hence there was nothing more to be done. The little army soon had numerous followers, who joined the procession largely through curiosity, some armed with rifles or shotguns, and others with revolvers.

¹ Compare Royce: Squatter Riot of '80 in Sacramento; Overland Monthly, Vol. VI, (second series,) p. 242.

Maloney was requested to march out of town on I street, which was sparsely settled, as the little band would be likely to attract less attention by so doing. He marched up I street to Third, when to the amazement of the Doctor he turned to J street, the busiest part of the town. As they marched through the principal business street the crowd of followers increased, including many of the worst characters in the city. When the squad arrived at Fourth street a turn was made to the south. Soon after the corner was turned at J street and Fourth a shout was raised, and the mayor, sheriff and their adherents opened fire on the little squatter army of fifteen.¹ It appears that while the squatter army was marching about town the mayor and sheriff were galloping here and there for reinforcements to put down the rebellion. No sooner was the attack made on the little army than Maloney gave the order to face about and fire. As soon as the fire of the mayor's crowd was returned, all fled in hot haste and the space was cleared in front of the squatters. In fact, there was a rapid dispersing of the crowd on both sides. The mayor was badly wounded, losing an arm, and the city auditor, who was foremost in the attack, was killed. One squatter also was killed in the first encounter. While the squatters were still in line a man named Harper passed up J street, and when opposite Dr. Robinson suddenly stopped and fired his revolver, the ball passing through the Doctor's body two inches below the heart. Dr. Robinson then raised his rifle and returned the fire, the ball striking the breast-bone of Harper and glancing off without entering the body.

¹ Compare Bancroft : *Works*, Vol. XXXV, p. 409 : and Royce : *Squatter Blot of '50 in Sacramento* ; *Overland Monthly*, Vol. VI, (second series,) pp. 243 and 244.

When Dr. Robinson returned to consciousness he found himself in the street on the ground. Looking about, he found that no one was in sight, and he crawled slowly into an eating-house near by. At first the inmates were afraid to give even the water which he craved. Soon after, some physicians appeared, and he was well cared for. The coroner and the sheriff appeared; the former asked Dr. Robinson's name and age, and the latter seemed in such a hurry that Robinson smilingly told him if he could wait a little he would be out of his way. He was in a very critical condition at this time, and the pulsation at his wrist having stopped, the physicians caused the sheriff to wait until circulation was restored. As the slow procession moved toward the prison-ship bearing the Doctor on a cot, sidewalks, verandas and roofs were thronged with people silently watching the proceedings. Others came out of the crowd and silently pressed his hand. On reaching the prison-ship Dr. Robinson was placed in the fore-castle. The only other occupant was a violent, insane foreigner who muttered in an unknown tongue, beating the sides of the vessel with his head and in other ways most of the time. Here the prisoner was placed with the idea that he would not live long, and that probably a burial the next morning would be the only trouble he would cause thereafter. Such was Dr. Robinson's critical condition that a person leaving Sacramento on the night of August 14, the day of the riot, brought the news to San Francisco that he was dead, and the report was conveyed to his New England home. The great excitement of the news was only allayed when, a fortnight after, a

long letter written by Dr. Robinson was received, which contradicted the news of his death.

The prison-ship was an old hulk situated a considerable distance out upon the Sacramento river. Although the heat on this August day in Sacramento was excessive, the nights on the prison-ship were very cold and the prisoner suffered much because he had lost a good deal of his clothing in the examination of the wound, and was furnished none in prison. He suffered great pain, but when the jailer arrived next morning at 9 o'clock the Doctor declared that unless inflammation set in he would recover, contrary to the expectations of his friends and the hopes of his enemies. Dr. Robinson attributed his rapid recovery to his strictly temperate habits, cold water being his only beverage.

It appeared that while Dr. Robinson was lying in the eating-house, wounded, and awaiting removal to the prison-ship, just before his arrest by the sheriff, the small army of squatters had disappeared, each one going his own way to his own home. While Captain Maloney was riding along the street the sheriff galloped up to him and denounced him in very severe terms. Though Maloney was unarmed, except with a saber, he turned and pursued his assailant, who ran into a crowd of well-armed speculators. They at once opened fire on Captain Maloney, killed the horse, and planted eighteen bullets in Maloney's body.

Thus ended the first and last real encounter of the squatters with the speculators of Sacramento. The city was greatly alarmed. Lieutenant-Governor McDougal started for San Francisco for help. Wild rumors were afloat regarding the strength of the squatters and their

sworn vengeance upon the city. But it appears that the panic had begun to subside, when it was found that the squatters proposed to live up to their manifesto. But many of the speculators urged that with the military leader of the squatters killed and their civil leader badly wounded, it was a good time to make an end of all squatterism. The newspapers were full of glorious boasting over the result, and the little sheriff was commended for his bravery. Swelling with pride, he rallied a posse the second day and started seven or eight miles in the country to arrest "Old Man Allen," as he was called. Allen had taken up a claim on the American river, and it appeared that somebody wanted the claim or had attempted to establish a legal right to it. It is stated by some that he was keeping a hotel or boarding-house. Allen was caring for a sick wife, when the sheriff surrounded his house with three squads. When he came to the door his surrender was demanded. He replied by discharging the contents of a shotgun into the little sheriff, who was carried back a corpse to the city. Allen was wounded, and several others were wounded and killed in the struggle. His wife died during the struggle.

The news of the sheriff's death caused great excitement in the city. Militia companies turned out, and detailed patrolling parties passed through the streets to keep them clear. But the next morning the steamer returned, bringing Lieutenant-Governor McDougal, and this with other events allayed public fear, the excitement soon died out, and the people were ashamed that they had been alarmed. The squatters continued to meet in the mining districts

and at Marysville, but at Sacramento there seemed to be a common consent to drop the subject as soon as possible.¹

Dr. Robinson holds that the matter was dropped because the speculators were beaten, or at least saw they had to cope with a stern and stubborn foe. Those advocating the other side considered that the squatters were beaten. After the sheriff had attempted to arrest Allen, the keeper of the prison-ship visited Dr. Robinson, who inquired as to the condition of the squatters and what they were doing. "Squatters?" said the keeper; "they are annihilated, or will be as fast as found." Two nights after the transaction the keeper again appeared, in a very different frame of mind. He was very much excited, and had come to ask a favor; for it appeared that the next day after killing the sheriff, Allen had reached a mining camp while the miners were at dinner. "He was hatless and coatless, and covered with mud and blood from head to foot. In this plight he told the story of the squatter riot and of his encounter with the sheriff."² A report was soon abroad that the miners had resolved to enter Sacramento, rescue the prisoners and destroy the town, if another squatter was disturbed. The keeper had come to ask Dr. Robinson to send word to the miners that he did not wish to be rescued, as he thought this would quiet the town and allay the excitement. Dr. Robinson replied that while he had no desire to be rescued, he had no word to send to the miners or to anyone else. At this juncture the militia, which had come from San Francisco to quell the disturbance, called in a body upon Dr. Robinson on the prison-ship. During

¹ Bancroft: *Works*, Vol. XXXV, pp. 408-10; and Royce: *Squatter Riot of '50 in Sacramento*; *Overland Monthly*, Vol. VI, (second series,) p. 245.

² *Kansas Conflict*, pp. 56-7.

this visit an officer whispered in the Doctor's ear that he and his friends had nothing to fear from the militia, as they had investigated the matter and approved the course the squatters had taken. Mr. Royce¹ states that "a tacit consent to drop the subject was soon noticeable in the community," and that "there was sullen submission near home," and "a decided sense of common guilt." Dr. Robinson holds that the reason for this was the firm stand taken by the squatters to protect occupants of land until a title should be shown, the speculators having finally realized the justice of the squatters' position, or at least the cogency of their argument of force in maintaining it.

Mr. Royce writes somewhat facetiously on this subject. He tries to show the improper attitude of the squatters in attacking the institutions of California, but he does not question the ability or sincerity of Dr. Robinson as a leader of the movement. Referring to a letter which Dr. Robinson had written to the *Placer Times* in defense of the position of the squatters, he says:²

"The writer of the letter in question is very probably no other than the distinguished squatter leader, Dr. Charles Robinson himself, a man to whom the movement seems to have owed nearly all its ability. And when we speak of Dr. Robinson, we have to do with no insignificant demagogue or unprincipled advocate of wickedness, but with a high-minded and conscientious man, who chanced just then to be in the Devil's service, but who served the Devil honestly, thoughtfully, and, so far as he could, dutifully, believing him to be an angel of light. This future Free-Soil Governor of Kansas, this cautious, clear-headed, and vigorous antislavery champion of the troublous days before the war, who has since survived so many bitter quarrels with old foes and old friends, to enjoy, now at last, his peaceful age at

¹ Royce: Squatter Riot of '50 in Sacramento; *Overland Monthly*, Vol. VI, (second series,) p. 246.

² *Idem*.

his home in Lawrence, Kansas, is not a man of whom one may speak with contempt, however serious his error in Sacramento may seem. He was a proper hero for this tragic comedy, and 'nature, country and God' were his guiding ideals."

Mr. Royce then goes on to discuss the origin of the cultivated radicalism of the antislavery generation of Massachusetts, who found it convenient when ordinary commonplace legal processes failed, to appeal to a so-called higher law. He holds that Dr. Robinson had a tendency to overlook the intricacies of Spanish land grants, to repudiate local courts, and to appeal to the higher law for the solution of the cases in equity. He continues:¹

"For the rest, Dr. Robinson added to his idealism the aforesaid Yankee shrewdness and to his trust in God considerable ingenuity in raising funds to keep the squatter association at work. He wrote well and spoke well. He was thoroughly in earnest, and his motives seemed to me above any suspicion of personal greed. He made out of this squatter movement a thing of real power, and was for the time a very dangerous man."

In his article in the *Overland Monthly*, where he gives the history of the squatter riot, and also in his history of California, Mr. Royce did some very fine writing. The whole historical aspect is colored with fine bits of philosophy, and in many instances with extravagant words and statements. Upon the whole it is a graphic picture of the great squatter movement of California, with an apparent studied attempt to overlook the real details of the situation at Sacramento and the attitude of the men in defending squatter rights in Sacramento. But it is a sparkling philosophy rather than an impartial history. It is graphic, reflective, and entertaining. The following

¹ Royce: Squatter Riot of '80 in Sacramento; *Overland Monthly*, Vol. VI, (second series,) p. 287.

statement by Dr. Robinson is a fair representation of the squatter side of the argument:¹

"It is plain the only higher law the squatters were after was the law of the United States and the decision of a legal tribunal. This law and decision the speculators said should not be had, hence the conflict. Mr. Royce says the Supreme Court is a long way off, and to wait for its decision would work great hardship to the claimants under the grant. But where would be the greater hardship? This grant was sufficiently elastic to cover all northern California, and was used to enable a few men, with quitclaim or other deeds from Captain Sutter, to levy tribute upon every person of the many thousand who might want to settle in the country. If the claimants could not wait for a legal adjustment, how could the hordes of destitute people wait that were pouring in from the Eastern States? If the title should prove valid, the grantees would lose nothing. Even should the entire tract of eleven leagues be densely populated by thriving cities, it would only enhance the value of the grant a thousand-fold, while, should the land in question be not covered by the grant, the cormorants would have robbed every occupant of hard-earned money, never to be returned. Thus a valid claimant would lose nothing by waiting for the courts, even the highest court, while the squatter would lose all he might pay for a bogus title at the hands of a bogus claimant or speculator."

So far as concerns the position of the squatters in defending settlers in their rights until titles could be settled by the courts, there seems to be no real objection to their course. The denial of the right to appeal to the Supreme Court ought not to have been permitted. The ultimate test of all land titles is in the Supreme Court of the United States. If the governmental machinery was not sufficiently perfected to allow an immediate decision on the appeal, that was no concern of the lower courts, and they should have decided in favor of the right of appeal. That all cases were finally referred to a commission appointed by

¹ Robinson: *Kansas Conflict*, p. 60.

Congress, and that all contested cases finally reached the Supreme Court for settlement, shows that the squatters were logically correct. In the special case of the Sutter grant, it was evident from the intent and purposes of the Mexican government that he had a right to eleven leagues of land; and that the description of the boundary of this land located it twenty miles north of Sacramento as its southern boundary. The fact remains that for ten years Mr. Sutter had occupied and settled land in and around Sacramento on the supposition that his grant covered that territory, or possibly with no direct idea that it was in the original claim. He bought the fort of the Russians, but had no title to the land unless he could make the Sutter grant by Alvarado cover it. In point of fact, Sutter had no legal title to the land about Sacramento, and consequently could give no legal title in transfer, possession being his only real claim. Holding strictly to the title, he would have been excluded from any right of land in and around Sacramento, including the disputed territory. As a question of equity and justice the court might, on account of his possession, grant him a portion of the Sacramento territory. Apparently this is what happened, for in the final settlement the larger portion of his grant was located within the boundaries of the legal title, but a smaller portion was allowed him in the territory occupied in and about the Sacramento. The squatters could scarcely be blamed for believing that the title of Sutter was fraudulent, on account of the dispositions of persons in those days to grab and hold great landed estates regardless of right. The Supreme Court decided against two other alleged Sutter grants,—one for twenty-two leagues, signed

by Governor Micheltorena, and the other a list of subgrants given by the Governor to Sutter's men on the latter's recommendation. On the whole, it may fairly be said that although the squatters and settlers had some just grounds of complaint in this Sacramento affair, yet the general tendency of the California squatters to ignore the Mexican land titles led to a vast deal of trouble. Squatterism, as it spread over the State, became a synonym of injustice, strife, and waste of property.

The character of Dr. Robinson comes out clearly through the whole struggle. He was convinced that he was right, and that he was defending the oppressed, or those who were deprived of their rights. Throughout his life he never appeared to better advantage than when attempting to defend the helpless or in fighting single-handed open forms of injustice or oppression. In this movement he showed himself clear-headed, conscientious, shrewd and skillful by the manner in which he routed the forces of the speculators and landholders, who had all the odds in their favor. When we remember the critical condition he occupied before the law, his subsequent history in California is little less than marvelous.

When Dr. Robinson was sufficiently recovered, he was brought before a local magistrate and formally committed on the charge of murder and other crimes.¹ Soon after, the District Court met at Sacramento; the grand jury found four true bills against him,—one for murder, one for conspiracy, and two for assault with intent to kill. Dr. Robinson, with two other prisoners, was soon taken

¹ For the remaining incidents of the Sacramento troubles, see *The Kansas Conflict* pp. 61-65. See also Bancroft: *Works*, Vol. XXXV, p. 410.

into court to plead to the indictment. All three were again remanded to prison to await trial.

But other and more important events were crowding on, which tended to draw public attention away from the operations of the courts. The time was approaching for the election of members of the State Legislature, and the name of Dr. Robinson was proposed by the squatters and miners as that of a candidate for a seat in this body. At their request a new campaign document in the form of a manifesto was written by Dr. Robinson. In this he boldly charged the speculators with murder in the first degree, and declared that the squatters had done nothing more than defend their natural and constitutional rights. The manifesto was printed in the form of a poster and distributed throughout the country, and, although not a speech was made in the entire canvass, the poster did its work, and returned a majority in favor of Dr. Robinson for the Legislature. The papers denounced the manifesto, but the people voted in favor of their hero now in a prison-ship under indictment for murder by the grand jury, and awaiting trial. Soon after the election the prisoner was admitted to bail, and, as editor of the "*Settlers' and Miners' Tribune*," entered vigorously upon the work of defending the cause he had espoused. He was thus employed until he took his seat in the Legislature, which met in San José, in 1851.

The character of Dr. Robinson is clearly shown in his attitude at this time on the slavery question, which affords a good illustration of the fact that at all times he worked from conviction as to what was right under the circumstances. While he was in prison, one of the attorneys,

Mr. Tweed, appointed to defend the squatters, came to him and advocated the division of California into two States,—the southern portion to be a slave State. He desired the opinion of his client on the subject. Dr. Robinson answered that he was opposed to slavery from conviction, and could not, on account of its injustice, favor its extension. When Mr. Tweed learned the attitude of Dr. Robinson on the slavery question he advised the Doctor not to consent to run for the Legislature, because it might prejudice his case now pending before the courts. The insight of the prisoner easily discerned that his counsel opposed his candidacy simply because he was opposed to slavery. The Doctor therefore assured him that if the people chose to vote for him he would not interfere, and if the courts chose to hang him because the people voted for him they could do so. Again, in the Legislature the slavery question came to the front. General Frémont had been elected for the short term of the Senate, which was about to expire. In his place were nominated, by the Whigs, T. Butler King, of Georgia; and by the Democrats, Judge Heydenfelt, of Alabama,—both favoring the division of California and the extension of slavery. Frémont was opposed to the division and to the extension of slavery, and accordingly Dr. Robinson and some twelve or fifteen others voted for Frémont,—who, by the way, was the proprietor of a large Mexican land grant,—and thus defeated the election for that session. Subsequently, in the next session, the antislavery sentiment was sufficiently strong to elect an antislavery man, a Mr. Weller, from Ohio, which effectually disposed of the matter. In voting thus on the slavery question, Dr. Robinson of course

pleased the antislavery squatters and displeased those of proslavery views.

At this session of the Legislature a law was passed which quieted the legal proceedings in land controversies, and referred all cases to proper tribunals for decision. While Dr. Robinson was absent from the Legislature through sickness, a unanimous vote of both houses instructed the prosecuting attorney to enter *nolle pros.* in the case of *The State vs. Robinson*, but the acting Governor, McDougal, who had fled to San Francisco at the sound of war, vetoed the bill. The squatter cases of Sacramento were by a change of venue taken to Benicia, but after the close of the session of the Legislature the prisoners were discharged on account of no prosecution. "Nolle pros. was entered, and the hero was free." Dr. Robinson was exonerated by the people of Sacramento valley, who elected him to the Legislature. Also, he was exonerated by the Legislature representing the whole State of California, and by the District Court, which dismissed his case.

The remainder of Dr. Robinson's stay in California was rather uneventful. As soon as he was thoroughly recovered from the chills and fever which had attacked him, he took a steamer for Boston by way of the Isthmus. He sailed on the 3d day of July, 1851, and on the 5th they were wrecked on the coast of Mexico, about eighty miles below San Diego. They had struck the rocks about one-fourth of a mile from shore, at three o'clock in the morning. On the coast arose hills between which ran a little dry ravine, each side of this ravine being overshadowed by perpendicular rocks eighty feet high. This small ra-

vine proved their salvation. In the course of the day they got the small boats off for the shore, conveying all the passengers safely to land before the ship finally sank. They knew not their location, however, and remained on this inhospitable shore for two weeks without a clue to their whereabouts.

A large amount of gold dust was on board the ship. This was brought on shore, where it was carefully guarded by forty men chosen by the company for this purpose. The men were under the command of Captain Day, with Dr. Robinson second, and were divided into relays of ten each, who watched the treasure day and night. One day, after they had been watching their treasure on land for two weeks, at the same time eagerly scanning the sea for a sail or scouring the country for information, a Mexican suddenly appeared from the interior, and informed them of their location. Ten persons went to San Diego to get a boat to come that way to pick them up. It was necessary for them to walk a considerable distance north to take the boat, as it could not come near shore at that place. They were finally obliged to take a schooner instead of a steamer, and on account of the slow sailing of the former they were delayed. While on their way to the Isthmus they had to stop at Acapulco to see the consul about salvage papers to convey to the insurance companies. Through misinformation as to the time of the sailing of the steamer, Dr. Robinson was left in an office in Acapulco, and was obliged to take a slow boat for the Isthmus. Consequently he arrived too late to take the fortnightly steamer for New York. The two weeks of heat and inclement weather brought on the chills and fever again. Finally he sailed for New York, stopping at Havana,

where he arrived on the morning of the execution of General Lopez. He reached New York in time to file his papers respecting the insurance case which had been given into his charge. It was the 9th of September, when, after various delays, he received a joyful welcome in his New England home at Fitchburg, where he remained until June 28th, 1854. On that day he started for Kansas, where so many stirring scenes were about to be enacted.

It is remarkable that Dr. Robinson returned from California much improved in health. The variety of positions that he had held while in California,—physician, editor, restaurant-keeper, leader of a squatter rebellion, a member of the California Legislature,—seemed to indicate that in the future he would have a wider sphere than that of practicing medicine in a country town. After his return from California his friends, among whom was Mr. Benjamin Snow, father of Chancellor Snow, famous in Kansas as a lecturer, scientist, and head of the Kansas State University, urged him to edit a paper. At their earnest request he took charge of the *Fitchburg News*. This he conducted with great vigor for a period of two years. On the other hand, his great success as a practicing physician had led other friends to urge him not to abandon his practice. The result was that in attempting to fill both places of usefulness, he was soon carrying on an extended practice and editing a paper at the same time. Perhaps this was an injudicious thing for a man to do who had deemed it necessary to go to California for his health. Be that as it may, as editor of the *Fitchburg News* he developed a pungent and virile style, which served him well in his after life in the Kansas conflict.

In the mean time, six years of watchful care over the health of Miss Lawrence, prior to the departure of Dr. Robinson to the Pacific coast, had brought about an enduring friendship between the two, and the wedding-day was set about thirty days after Dr. Robinson started west, an event which postponed the marriage for about two and one-half years. But on his return from California he was married to the cultivated and gifted daughter of Myron A. Lawrence, on the 30th of October, 1851. After a trip to Philadelphia and a visit home, they settled permanently in Fitchburg.

Sara T. D. Lawrence¹ proved a worthy companion to Dr. Robinson, and especially in the Kansas struggle by her excellent judgment and ready pen did valiant service for the cause of freedom. Keen in observation, courageous in all things, she could stand at her husband's side in a determined struggle for the right. Mrs. Robinson was educated at the Belchertown Classical School and at the New Salem Academy, besides having received private instruction from a lady of fine accomplishments. Mrs. Robinson was well versed in Latin and modern languages and belles-lettres. Her true courage and faithfulness have placed her name among those of the women who made Kansas.

Dr. Robinson was aided in the newspaper office by Josiah Trask, a youth of fifteen years, son of Rev. George Trask of anti-tobacco fame. Young Trask lost his life in the Quantrell raid at Lawrence, in 1863. Often when Dr. Robinson was absorbed in medical affairs Trask would run to him crying for more copy. "More copy, I must have more copy!" became a household phrase with the

¹ See Appendix A, note (f).

Doctor, and frequently rang in his ears when his mind was centered on some medical case. Not infrequently, when Dr. Robinson was out on a long ride, Mrs. Robinson would appear in such an emergency, with an article already prepared for Trask's rollicking call under the window, "More copy, I must have more copy!"¹

While Dr. Robinson was practicing medicine in Fitchburg and editing a newspaper at the same time, the slavery agitation was attracting great notice throughout the North, especially in New England. The passage of the Kansas-Nebraska Bill threw the Territory of Kansas open to settlement, and the North and South vied with each other in sending emigrants into the new Territory for occupation under the law of "squatter sovereignty." The Emigrant Aid Company of New England was formed, and meetings were held at different places to agitate the question of colonizing the new Territory with the friends of freedom, and especially to collect money and recruits for settlement there. One day one of the Chapman Hall meetings in Boston was addressed by Eli Thayer, who at the close of the meeting asked if any present would be willing to go to Kansas. Charles Robinson walked up and signed his name to the paper. After the meeting, Mr. Thayer, who had noticed his quiet though self-reliant bearing, asked if he were the Charles Robinson who had gone to California. His reply being in the affirmative, Mr. Thayer asked if he would be willing to go to Kansas to live.

"Yes," was the reply.

"Would your wife be willing to go?"

¹ See Appendix A, note (g).

"I have no doubt of it," replied Robinson.

"Well, then," continued Thayer, "will you come down to Boston again to-morrow and meet the directors of the Emigrant Aid Company?"

The early train brought Dr. Robinson to Boston. The result of the conference was that Dr. Robinson agreed to leave Boston on the 28th of June to make his future home in Kansas. He accordingly made hurried preparations to close out his practice and arrange his business affairs for the new life. Subsequently he took charge of the affairs of the Emigrant Aid Company in connection with Charles H. Branscomb, of Holyoke, Massachusetts, and Samuel C. Pomeroy, of Southampton, Massachusetts, financial agent.

CHAPTER III.

THE WAGER OF BATTLE.

THE Kansas conflict is one of the most remarkable facts of American history, from the Revolutionary War to the present time. The great parties of the nation had failed to agree concerning political sovereignty and the great domestic institution — slavery. The nation was rapidly dividing into two great parties, each occupying separate sections of national territory and having different industrial interests. Opinions regarding legislation and justice were widely divergent in the two sections, and men were wedded to sectional interests rather than to national honor. Even from the adoption of the Federal Constitution in 1789 there had hung a great cloud over the American Republic as a menace to free institutions. Men who boasted of freedom and liberty and waxed eloquent over the blessings of free institutions, held a large number of human beings in servitude. The difficulty of regulating domestic institutions by general laws was soon evident, involving as it did the relation of Federal to State government. In the early period of national life men were too busy with the affairs pertaining to the development of the nation to pay much attention to the question of slavery. But there came a time when agitation, slight and almost unnoticed at first, finally stirred widespread enthusiasm for the cause of the enslaved. A little cloud no larger than a man's hand appeared above the horizon, and gradually spread over the sky the black

and threatening appearances of war. Step by step the slave-power was encroaching upon the national life and threatening to rule or ruin the whole country. The national legislators met the determination to spread the domestic institution of slavery over the entire nation with compromise after compromise, they seeking to avoid the definitive decision of a great moral question. They put off its settlement until it became a great political question, shaking the nation to its very center. Failing finally to settle this question, the legislators thrust it upon the people. They staked out a dueling-ground in the far West, where the people were to settle a great national question in their own way. It was, indeed, one of the most remarkable instances on record, of the shifting of a great national question upon a local community. "The field of battle was thus removed from the halls of Congress to the plains of Kansas."¹ But the nation did not escape so easily; for the attempt to transfer the responsibility to the plains of Kansas caused an agitation that eventually precipitated the whole nation in a great struggle, and dearly did the nation pay for its evasion of the question.

The slavery question ought to have been settled with the adoption of the Federal Constitution; and one may well consider with surprise the fact that colonies struggling for their own freedom against oppression could have perpetuated domestic slavery. But when it is considered how nearly we came to not having any constitution at all, and that the formation of the Federal Constitution was at best the compromise of all interests, it is easy to see how essential it was to compromise on the slavery question in order

¹ Robinson : *The Kansas Conflict*, p. 6.

that the Union might exist, even without being firmly established. But there were those who saw that the question deferred must be settled at some future time. A republican government could not long exist, professing freedom and equality, while it kept millions of human beings in slavery. The progress of civilization could not tolerate such an inconsistency.

The Missouri Compromise sought to establish a permanent settlement of the difficulty by division of the territory, thus recognizing the justice of the claims made by the slave-power. The bill of 1850 had a tendency to disturb rather than to settle the question. It was a partial repeal of the Compromise act and against its spirit. Without doubt Henry Clay, the author of the act of 1850, was sincere in his efforts to settle peacefully a great national difficulty. After the passage of this act, it seemed that for a few years at least, contention would cease. While the workings of the fugitive-slave clause of the Compromise were producing some agitation, the real struggle would probably have been deferred for twenty years had it not been for the passage of the Kansas-Nebraska Act, the author and chief defender of which was Stephen A. Douglas. But this act, which repealed the Missouri Compromise and sounded the death-knell of the Fugitive Slave Act, left the country open to the extension of slavery throughout the national territory. Such a receding from the position taken by both the opponents and the advocates of slavery since the constitutional period, was an instance of temporizing uncommon to a self-governed people.

With the adoption of the Kansas-Nebraska Bill the period of temporizing came to an end; the era of compro-

mise was past. The concentration of a great national struggle in a single small Territory, brought the strife to a focus and made bloodshed and war inevitable. The Kansas-Nebraska Bill turned the intellectual struggle for supremacy in Congress into a struggle of physical strength, and the Territory was thrown open to the possession of opposing forces. These forces met each other face to face, and in that struggle for possession, war was initiated. The meaning of the bill was clear, for it threw open a broad expanse of national territory to the extension of slavery. Referring to the Territory of Kansas, it finally says:

"The same is hereby erected into a temporary government by the name of the Territory of Kansas, and when admitted as a State or States, the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission. . . . That the Constitution, and all laws of the United States which are not locally applicable, shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March sixth, 1820, which, being inconsistent with the principles of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislature of 1850, commonly called the Compromise measure, is hereby declared inoperative and void; it being the true intent and meaning of the act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided*, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the 6th of March, 1820, either protecting, establishing, prohibiting, or abolishing slavery."

The introduction of this bill by Douglas precipitated one of the most noted parliamentary struggles in the history of the nation. On one side was Douglas, the most

powerful debater in Congress, followed by a strong support of alert men. On the other side were Chase, Sumner, Giddings, Seward, and Wade, with others zealous in the support of their leaders. The lines of battle were close-drawn, and the struggle prolonged and intense.

When the bill was finally passed, the boom of the cannon and the shouts of Southern sympathizers told of its success; while on the other side, gloom and apprehension hung like clouds over all. The few giants who had stood for justice and for a stay of the slave-power in its triumphant march acknowledged the defeat and expressed their feelings in a cry of despair.

Seward said, May 25th, 1854:

"The sun has set for the last time upon the guaranteed and certain liberties of all unsettled and unorganized portions of the American continent that lie within the jurisdiction of the United States. To-morrow's sun will rise in dim eclipse over them. How long that obscurity shall last is known only to the Power that directs and controls all human events."

Senator B. F. Wade said:

"The humiliation of the North is complete and overwhelming. . . . I know full well that no words of mine can save the country from this impending dishonor, this meditated wrong which is big with danger to the good neighborhood of the different sections of the country, if not the stability of the Union itself."

Salmon P. Chase, in his speech in the Senate, May 25th, 1854, said:

"This bill doubtless paves the way for the approach of new, alarming, and perhaps fatal dangers to our country. It is the part of freemen and lovers of freedom to stand upon their guard and prepare for the worst events. It is because this bill puts in peril great and precious interests, reverses the ancient and settled policy of the Government, and breaks down a great safeguard of liberty, that I feel

myself constrained to resist it firmly and persistently, though without avail."

Prior to the passage of the act in the House of Representatives, May 16, 1854, Hon. Joshua R. Giddings, of Ohio, said:

"Mr. Chairman — Who does not know that the Southern and servile presses are already proclaiming that when this bill shall have been passed, slavery shall next be admitted into Minnesota, Washington, and Oregon? . . . To surrender this vast territory will exclude free men from it; for, as I have said, free laborers, bred up with feelings of self-respect, cannot, and will not, mingle with slaves. For these reasons it is most obvious that the character of the States to be carved out of this territory will be determined by that of the government now to be established. If the territory be settled by slaveholders, the States will of course be slaveholding States."

He might have added, if the territory be settled by antislavery people, the States of course will be antislavery, — a sequel to the Douglas bill which had not yet dawned in prospect upon the people. Earlier than this statement of Giddings, on February 21, 1854, Sumner had stated in the United States Senate that —

"It is clear beyond dispute that by the overthrow of this prohibition, slavery will be quickened and slaves themselves be multiplied; while new room and verge will be secured for the gloomy operations of the slave law, under which free labor will group, and a vast territory be smitten with sterility. Sir, a blade of grass would not grow where the horse of Attila had trod; nor can any true prosperity spring up in the footprints of a slave. . . . You are asked to destroy a safeguard of freedom, consecrated by solemn compact under which the country is reposing in the security of peace, and thus confirm the supremacy of slavery."

Although these chief opponents to the Douglas bill saw with prophetic eyes that a great national issue was to be settled possibly at the expense of union and liberty, they

saw in the situation signs of no hope. They saw nothing but an unavoidable conflict, which might end in humiliation and defeat. A few papers like the New York *Tribune* proclaimed the situation. January 6, 1854, Mr. Greeley says:

"The Thirty-first Congress inaugurated the era of submissions to slavery. Since then everything has gone on swimmingly in this line. Not only was the slavery question compromised, but the character and reputation and principles of hundreds of our public men were compromised by the same operation. . . . Freedom's battle was fought and lost in 1850, and the cowards and traitors have all run to the winning side.

In the issue of March 14, 1854, the same paper asserts:

"We as a nation are ruled by the black power. It is composed of tyrants. See, then, how the North is always beaten. The black power is a unit. It is a steady, never-failing force. It is a real power. Thus far it has been the only unvarying power of the country, for it never surrenders and never wavers. It has always governed, and now governs more than ever."

In the issue of May 24, of the same year, Mr. Greeley hints strongly of the necessity of a bloody contest. He says:

"The revolution is accomplished and slavery is king! How long shall this monarch reign? This is now the question for the Northern people to answer. Their representatives have crowned the new potentate, and the people alone can depose him. If we were only a few steps further advanced in the drama of reaction, he could only be hurled from his seat through a bloody contest."

Subsequently, after the passage of the famous Douglas bill, in the issue of June 24, 1854, Mr. Greeley says:

"The territory which one short year ago was unanimously considered by all, North and South, as sacredly secured by irrevocable law to freedom forever, has been foully betrayed by traitor hearts and traitor voices, and surrendered to slavery."

Mr. Theodore Parker, in one of his most striking addresses, asserted with a sort of despair that—

“There is not one spot of free soil from Nootka Sound to Key West. In no part of the country is there freedom. The Supreme Court is a slave court, the Senate is a slave Senate, the Senators are overseers, Mr. Douglas is a great overseer, and Mr. Everett a little overseer. The press is generally the friend of slavery.”

Such were the cries of defeat, of humiliation, such the gloomy forebodings that came from the leaders of liberty. People of the North were oppressed with indignation and gloom. But few rays of light were observable anywhere on the whole horizon. There was a sentiment arising favoring the settlement of Kansas with antislavery people who should build up a free State. Mr. Sumner had remarked at the time of the passage of the bill: “Thus it puts freedom and slavery face to face and bids them grapple. Who can doubt the result?”

Out of the general despair of Seward’s speech came one saving clause:

“Come on, then, gentlemen of the slave States: since there is no escaping your challenge, I accept it in behalf of freedom. We will engage in competition for the virgin soil of Kansas, and God give the victory to the side that is stronger in numbers as it is in right.”

Mr. Seward, however, had no idea as yet of the suddenness with which war would be inaugurated for the settlement of the great question. He could not free himself from his sense of oppression at the defeat which the party of freedom had just suffered. Mr. Sumner, at the time of the passage of the Douglas Bill, expresses a ray of hope:

“In a Christian land and in an age of civilization, a time-honored statute of freedom is struck down; opening the way to all the countless woes and wrongs of human bondage. Among the crimes of history

another is about to be recorded, which no tears can blot out, and which, in better days, will be read with universal shame. . . . Standing at the very grave of freedom in Kansas and Nebraska, I lift myself to the vision of that happy resurrection by which freedom will be secured hereafter, not only in these Territories but everywhere under the National Government."

Evidently Mr. Sumner was thinking of the long, slow constitutional struggle which in the course of human events would cause freedom and justice to triumph. He evidently had no conception of the sharp physical struggle, the civil war that was so soon to follow.

The leaders of the antislavery forces in Congress had only to look to the rising storm in the North to receive encouragement and support. Had they been observant the country would have been spared their fears for the future; though it would, to be sure, have been deprived of much of their eloquence. It was but natural for them to feel that, having lost the battle in Congress, they had lost it to the whole country forever, and that the slave-power had won and was to remain dominant. But quick recovery from the humiliation of defeat brought them more hopeful views of the situation. Throughout the entire North agitation had begun vigorously, even before the passage of the Kansas-Nebraska Bill, and was continued with increased vigor after its passage. The Whig and Democratic parties began to disintegrate; old traditions were giving way to new views of liberty, and public sentiment was rapidly crystallizing around a new force, a common sentiment of freedom.

It would seem that the "Appeal of the Independent Democrats in Congress to the People of the United States" against the Kansas-Nebraska Bill was responded to with an unexpected zeal by the people. This ably written ad-

dress is strong in the bitterness of the occasion. It arraigns the bill "as a gross violation of a sacred pledge; as a criminal betrayal of precious rights; as part and parcel of one atrocious plot to exclude from a vast unoccupied region, immigrants from the Old World and free laborers from our own States, and convert it into a dreary region of despotism inhabited by masters and servants." Referring then to the Missouri Compromise as an acknowledged part of the law of the land, the address expresses its disapproval of the proposal to annul the law. "Language fails to express the sentiments of indignation and abhorrence," which are aroused by the Kansas-Nebraska Act. "Shall a plot," reads the address, "against humanity and decency so monstrous and so dangerous to the interests of liberty throughout the world be permitted to succeed? We appeal to the people. . . . Let all protest earnestly and emphatically, by correspondence, through the press, by memorials, by resolutions of public meetings and legislative bodies, and in whatever other mode may seem expedient against this enormous crime." This important document was only exceeded in brilliancy and strength by the speech of Douglas, "The Little Giant," in favor of the bill. While the latter carried with it the majority vote of Congress, the response to the former in the voice of the people triumphed in the end, and forever settled the slavery question in the United States.

The people spoke through the press, ably led by Greeley of the *New York Tribune*; Bryant and Bigelow of the *Evening Post*; Raymond of the *Times*; Webb of the *Courier and Enquirer*; Bowles of the *Springfield Republican*; Thurlow Weed of the *Albany Journal*; Schouler of

the *Cincinnati Gazette*; and followed by the Whig press of the country and many Democratic papers in the North.

Following immediately were public meetings of protest, beginning at New York and extending to nearly every city and town throughout the Northern States. The Legislatures of Maine, Massachusetts, Rhode Island, New York and Wisconsin, then in session, each passed resolutions protesting against the bill. Seward began to be hopeful, and wrote: "The storm that is rising is such a one as this country has never seen." But in the face of the storm the bill was passed, and signed by the President May 30, 1854.

The battle of the giants in Congress was over, and Douglas had won, but in winning, as Rhodes says, "it must be adjudged that Douglas hastened the struggle; he precipitated the Civil War." It was stated by Mr. Greeley in the *Tribune* of May 17, that "Pierce and Douglas have made more abolitionists in three months than Garrison and Phillips could have made in a half-century." But the agitation went on; the bill was denounced by the press, from the pulpit, by legislatures, and from the platforms of public meetings. Not only was the Kansas-Nebraska Act condemned, but all of its supporters with it, including Douglas, Pierce, and the administration. Douglas stated subsequently that he could travel "from Boston to Chicago by the light of his own effigies." From this time on the influence of Douglas began to decline, although his genius and intellect were not the less bright.

The North continued to protest in every way against the Kansas-Nebraska and the Fugitive Slave acts. Not only by the expressions of public sentiment from the platform, press and pulpit, but in legislative halls was the opposition

manifest. In many of these last, resolutions for liberty were passed. The elections in the North showed very clearly how the people were thinking, as nearly all the legislators chosen were antislavery in sentiment. The "underground railroad" was also a protest against the encroachments of slavery and the domination of the Southern States, which with others demonstrated the fearful earnestness of the people of the North.

On the other hand, the people of the South rejoiced at the passage of the bill, and at what they seemed to understand as the complete triumph of their cause. Alexander Stephens, writing in 1860, said that "Never was an act of Congress so generally and so unanimously hailed with delight at the South." With few exceptions, those who were advocates of this measure little dreamed that its passage would be the herald of the death of slavery. A few, however, with prophetic eye, were not sanguine as to the future results of the passage of the Kansas-Nebraska Act.

If there had been any doubt as to the meaning of the Compromise Act of 1850, there could be no misunderstanding as to the significance of the Kansas-Nebraska Act. The question as to whether slavery should exist within a given Territory was to be left to the people of that Territory. The national powers having failed to deal with the real question, it was henceforth to be left for decision to a local struggle of the people. That was the program, and the people of both sections were quick to see and take advantage of the situation. "It was at once urged by the press and by the platform," says Rhodes, "that an effort should be made to have Kansas enter the Union as a free State, and a systematic movement was begun with this end

in view." Everywhere there was a feeling among anti-slavery people that the cause of freedom was at stake, and that an effort must be made to save Kansas from the blight of slavery. Everywhere in the South there was a feeling that efforts must be put forth to establish and perpetuate slavery in Kansas. Thus it was that two hostile powers within the nation directed their eyes toward a single point,—a bit of uninhabited and rolling prairie,—and sent their cohorts forward to the national dueling-ground where a duel to settle national honors was to take place,—a duel without rules or code of arms,—a duel without pretense of fairness in choice of place, occasion, weapons, or methods of warfare. The people of Missouri and the South had resolved that the Yankees could settle in Nebraska, but should not enter Kansas, as it by its position was their rightful possession. Many people in the North, although they recognized that the odds were greatly against such an outcome, nevertheless believed that Kansas would eventually be settled by a sufficient number of free people to make it a free State. This was a faint ray of hope shining through the gloom of despair, and people saw it and cherished it.

The people of New England and the North were thoroughly aroused, and started emigration to Kansas even before the final passage of the Kansas-Nebraska Bill, intending, as was hinted by Mr. Seward, to defeat slavery by numbers; but the accomplishment of this end was beset with difficulties not contemplated by the law-abiding people of the older States. They knew not the deeds that would be perpetrated in the name of the rights of citizens for or against liberty. While there was a general movement

toward Kansas, the special agency for peopling the Territory with Free-State men, and one which was the center of the organized effort of the North, was the New England Emigrant Aid Company.

While many people were aroused to the need of peopling Kansas by Northern immigration, Mr. Eli Thayer may be said to have been the originator of the idea of organization for the purpose of hurrying on emigrants to settle in Kansas and establish a free State by actual possession of the soil. After a careful consideration of the question, and the manner in which Northern people were to settle in Kansas, he expresses himself as follows:

"After much and very careful study, I concluded that if this work could be done at all, it must be done by an entirely new organization, depending for success upon methods never before applied. This was an organized emigration, guided and guarded by a responsible business company, whose capital should precede the emigrants, and prepare the way for them by such investments as should be best calculated to secure their comfort and protection. This emigration must also be of a kind before unknown, since it must in this case be self-sacrificing and voluntary, whereas all historical migrations had been either forced or self-seeking. To present this new method of bringing two hostile civilizations face to face upon the disputed prairies of Kansas in such a way as to unite in its support the entire Northern people of whatever parties, was the work next to be done. On this appeal must depend the future of our country. Then arose the important question, 'Was it possible to create such an agency to save Kansas?' I believed the time for such a noble and heroic development had come; but could hope be inspired, and the pulsations of life be started beneath the ribs of death? The projected plan would call upon men to risk life and property in establishing freedom in Kansas. They would be called to pass over millions of acres of better land than any in the disputed Territory was supposed to be, land in communities where peace and plenty were assured, to meet the revolver and the bowie-knife defending slavery and assailing freedom. Could such men be found, they would certainly prove them-

selves to be the very highest types of Christian manhood, much above all other emigrants. Could such men be found?"¹

In an address before a large assembly in the city hall at Worcester on the 13th of March, 1854, to protest against the passage of the Douglas bill, Mr. Thayer heralded his plan of organization. In concluding his speech he stated:

"It is now time to think of what is to be done in the event of the passage of the Kansas-Nebraska Bill. Now is the time to organize an opposition that will utterly defeat the schemes of the selfish men who misrepresent the nation at Washington. Let every effort be made, let every appliance be brought to bear, to fill up that vast and fertile Territory with free men—with men who hate slavery, and who will drive the hideous thing from the broad and beautiful plains where they go to raise their free homes. [Loud cheers.]

"I for one am willing to be taxed one-fourth of my time, of my earnings, until this be done—until a barrier of free hearts and strong hands shall be built around the land our fathers consecrated to freedom, to be her heritage forever." [Loud cheers.]²

Mr. Thayer at once proceeded to draw up a charter of the Massachusetts Emigrant Aid Company. By persistent work before a committee and the Legislature he succeeded in having a bill passed granting the charter, which was signed by the Governor on the 26th of April. Soon afterward the incorporators held a meeting to prepare for a plan of work. The object of the company was to aid emigrants in their journey to Kansas and settlement therein. The enterprise also had a commercial side, for it was thought that through investment in lands, the building of hotels, and the carrying-on of business, returns might eventually be obtained for those interested. But the dominant idea was that of advancing settlement in the new Territory. The original capital stock was fixed at

¹ *The Kansas Crusade*, p. 24.

² *Idem*, p. 25.

five millions. The books for stock subscriptions were opened, and the undertaking fairly started. For the operations of 1854 it was decided to collect an assessment of four per cent. as soon as one million had been subscribed. The whole object of this company organization was to save Kansas to freedom by actually doing it. As Eli Thayer says, "Our work was not to make women and children cry in antislavery conventions by sentimental appeals, but to go out and put an end to slavery."

Two great difficulties were in the way. One was the opposition of the Abolitionists, who held that the colonization scheme was unpatriotic and false in principle. The Abolitionists were uncompromising in everything; they would behead the slave power with the sword, for in no other way could slavery be suppressed. The report that organized efforts were being made in the North to forward emigrants to colonize Kansas, stirred up all western Missouri to prevent the success of any such movement. To overcome, then, the influences of the Abolitionists on the one hand and the hostility of the Missourians on the other, were the chief difficulties to be encountered. But a great work of arousing public sentiment was carried on, and the efforts of Eli Thayer insured the success of the enterprise. Speeches and addresses were made throughout the North to arouse enthusiasm, and subscriptions to stock were secured to carry on the financial side.

Owing to the fact that the first charter saddled objectionable liabilities upon individuals who might associate under it, it was abandoned. "The whole business was passed into the hands of Thayer, Lawrence, and J. M. S. Williams, who were constituted trustees, and managed

affairs in a half-personal fashion until February, 1855, when a second charter was obtained, and an association formed with a slightly rephrased title—'The New England Emigrant Aid Company'—and with John Carter Brown, of Providence, Rhode Island, as president. In the conduct of the company, the trustees, who bridged the interval between the first and second charters, continued to be a chief directive and inspirational force. Mr. Thayer preached the gospel of organized emigration with tireless and successful enthusiasm, while Mr. Lawrence discharged the burdensome but all-important duties of treasurer." Thus came into being the organization known as the New England Emigrant Aid Company; an organization somewhat more restricted in its nature than the earlier one had been, having all the objectionable features of the latter removed, and devoting itself to a single purpose, that of colonizing Kansas.

It is at this juncture that Charles Robinson appears on the scene of the Kansas conflict. He was chosen as financial agent of the Emigrant Aid Company, with his field of operations in Kansas. As before stated,¹ at one of the Chapman Hall meetings, Eli Thayer saw for the first time Charles Robinson, and engaged him to act as the agent of the Emigrant Aid Company. Speaking of the wisdom of the choice, Mr. Thayer says:

"A wiser and more sagacious man for this work could not have been found within the borders of the nation. By nature and by training he was perfectly well equipped for the arduous work before him. A true democrat and a lover of the rights of man, he had risked his life in California while defending the poor and weak against the cruel oppression of the rich and powerful. He was willing at any

¹ See Chapter I.

time, if there were need, to die for his principles. In addition to such brave devotion to his duty, he had the clearest foresight, and the coolest, calmest judgment in determining the course of action best adapted to secure the rights of the Free-State settlers. No one in Kansas was so much as he the man for the place and time. He was a deeper thinker than Atchison, and triumphed over the border ruffians and the more annoying and more dangerous self-seekers of his own party. The man who 'paints the lily and gilds refined gold' is just the one to tell us how Charles Robinson might have been better qualified for his Kansas work. But his character, so clearly defined in freedom's greatest struggle, superior to the help or harm of criticism, reveals these salient points of excellence: majesty of mind and humility of heart, stern justice and tender sympathy, heroic will and sensitive conscience, masculine strength and maidenly modesty, leonine courage and womanly gentleness, with power to govern based on self-restraint, and love of freedom deeper than love of life."¹

Subsequent events are sufficient to justify this high tribute to Governor Robinson's character and his fitness for the place given him by the recommendation of Mr. Thayer. He was large enough and broad enough in conception, and sufficiently careful and judicious to be intrusted with the management of affairs of a great Territory. Nature had given him a peculiar insight into affairs, and endowed him with a shrewdness and sagacity which enabled him to compete successfully with opposing forces. The actual services of Dr. Robinson in the building of Kansas are more and more apparent to the people and to the historian as years of reflection disclose the real situation of the case. Mr. Amos A. Lawrence, of Boston, who was the strong support of the Emigrant Aid Company, and who watched with care every movement in Kansas during the period of struggle, speaking before the

¹ *The Kansas Crusade*, p. 34.

Massachusetts Historical Society in May, 1884, paid this remarkable tribute to Charles Robinson :

"He was cool, judicious, and entirely void of fear, and in every respect worthy of the confidence reposed in him by the settlers and the society. He was obliged to submit to great hardships and injustice, chiefly through the imbecility of the United States Government's agents. He was imprisoned, his house was burned, and his life was often threatened. Yet he never bore arms or omitted to do whatever he thought to be his duty. He sternly held the people to loyalty to the Government against the arguments and example of the 'higher-law' men, who were always armed, who were not real settlers, and who were combined in bringing about the border war, which they hoped would extend to the other States. The policy of the New England Society carried out by Robinson and those who acted with him in Kansas was finally successful and triumphant."

It was through identification with his work as agent of the Emigrant Aid Company that Dr. Robinson began his career in Kansas. In this as in other matters he acted according to his earnest convictions. He opposed slavery; he believed in the settlement of Kansas and the conquest of the slave-power by building up homes of freemen on a free soil. Once committed to this proposition, he brought his varied experience and his excessive energy to the support of the work. In this he was greatly aided by his wife, Mrs. Sara T. D. Robinson, who was admirably qualified for her responsible position as a support for her husband in his arduous work. She had a keen insight into affairs, a quick perception and ready judgment, as well as a fearless and active nature which brought her services more than once into demand in times of critical moment. Mr. Thayer, speaking of her adaptibility and eminent services, says :

"Entirely devoted to the cause of freedom, Mrs. Robinson brought to her work a well-disciplined mind, high courage, and an unconquera-

ble faith. She was an inspiration to all the women in the Territory, whom she influenced by her ardent words and her graceful though vigorous pen. Nor did her influence stop at the confines of the field of conflict between the two hostile civilizations, but extended throughout the free States. In 1856 she published a most entertaining book, replete with charming pictures of the daily life of our brave pioneers, and of thrilling incidents of that most exciting period. This had wide circulation, and was a very efficient aid in our great work."¹

The book referred to written by Mrs. Robinson was entitled "Kansas; Its Interior and Exterior Life." Of all the books that the author has consulted in connection with the subjects treated in this little volume, no other one possesses the peculiar charm of this book of Mrs. Robinson's. Written upon the spot, while the scenes and incidents described were fresh in her mind, her graphic pen-pictures give the reader such a representation of the actual condition of affairs as is not to be found anywhere else in print. The book is not written with any desire to establish a theory or to defend a partisan measure, as unfortunately so many books about Kansas are written, but it aims to tell just what is seen, is happening, or transpiring, before the observation of those active in the Territory. How fortunate it would be had many of those active in the Kansas struggle written at the time, as Mrs. Robinson did, their record of events as seen from their own standpoint, rather than waited until later years, as so many of them did, to tell the story from reflective memory. In attempting to tell things just as they are without any especial embellishment, Mrs. Robinson has lent a peculiar charm to her work, which will be a source of perennial delight to the investigator of Kansas history and to the

¹ *The Kansas Crusade*, p. 35.

peruser of Kansas books. It goes into history as a classic; it is both literature and history.

The actual services of the Emigrant Aid Company are hard to estimate. It would be as easy to overestimate as to underestimate what it really accomplished. Perhaps its best services are to be found in the work of the Boston agency in forwarding emigrants at reduced fares and directing them into the new Territory; in the perpetual agitation kept up by Eli Thayer and other members of the company, by which many were induced to go to Kansas on their own account; in its provision of an agency at Kansas City and Lawrence for the aid of all immigrants; in the encouragement it gave to the founding of schools and churches; and, lastly, in building hotels and sawmills. While the company was instrumental in forwarding many citizens directly to Kansas, the first immigrants, so aided, found other Free-State people already in the Territory on their arrival. But the Free-State men in and about Lawrence, where the headquarters of the Company were located, met a variety of interests and many difficulties. Lawrence became the storm-center of the Free-State cause, as well as the Aid Company's base of operation. It became the rallying-point of the Free-State men as well as the object of attack and especial hatred of the Proslavery party. The services of the Company cannot be measured by the actual numbers of voting settlers which it placed in the Territory, for its general services were quite as important as its special. Moreover, while many other agencies were at work in helping Kansas, the whole North felt the impulse of the agitation aroused by the operations of the Emigrant Aid Company. On the other hand, by vigor-

ously defending its own it aroused the special hatred of the Proslavery people of the South and increased the intensity of the strife.

What would have been the result in Kansas if this Company had never existed, no one can determine; but as the whole question as to whether Kansas should be admitted as a free or slave State finally hinged on the number of voters in the Territory, and as the Free-State people needed protection and defense in order that they might come to Kansas and remain, it does not seem likely that the results actually achieved could have been entirely attained without the services of the Company. But it must be remembered that Kansas was not admitted, although the local battle was really won, until the cause for freedom had taken national proportions; until the movement against slavery had become a national one. Hence the services of the Company in focusing the sentiments of the North on Kansas were not greater than in uniting the North in its preparation for a great national struggle.

While New England and the Emigrant Aid Company were powerful in agitation and action, much credit is due to the hardy and courageous pioneers who came from the other States,—particularly those of the Northwest and of Pennsylvania, Ohio, and Iowa. Early in 1854 these people came to Kansas to settle, to make homes, to subdue the soil, and, if necessary, to fight as well as to vote for free institutions. A careful examination into the historical records will reveal the names of many from these States who bore a manly and active part in the Kansas struggle. Thus did the Northern States contribute to Kansas their several quotas of emigrants who were to become defenders of the soil against the encroachments of the slave-power.

It was an interesting spectacle to see the hosts of freedom hurrying forward from all parts of the North and West to meet the slavery hordes of the South; especially interesting as this movement meant the settlement by physical force of what statesmen could not settle in the halls of Congress. The North had accepted the challenge of the South to meet and settle the difficulty by votes, and this really meant nothing else than the settling of the account by a passage at arms, if it appeared necessary. The people of the North understood the case, and met the demands of the emergency. But there were grave fears on the part of the opponents of slavery that the North would not be able to send sufficient numbers to outvote the proslavery element, and great anxiety prevailed lest the Territory should be captured by the advocates of slavery before the Northern emigration was thoroughly set in motion. The Proslavery party realized the importance of an early conquest, and did all in their power to retard immigration from the North, to harass the Free-State settlers, and to obtain and keep control of the Territorial Government.

But the lines of battle were soon closely drawn. On the one side was the Proslavery party of the South, aided by many Northern Democrats, and having the entire sympathy of the Federal Government; and on the other was the Antislavery party of the North. Each sent forward its representatives to the field of battle, to settle, by mortal combat if need be, one of the greatest and most grievous questions that ever troubled a nation. The war of words, the struggle of laws in Congress, was shifted to the plains of Kansas, and was there turned into bloody strife. But this little cloud of war which arose out of the West was presently to envelop the whole nation.

CHAPTER IV.

EARLY SETTLEMENT AND THE LAWRENCE WAR.

IN June, 1854, Dr. Charles Robinson, of Fitchburg, and Mr. Charles H. Branscomb, of Holyoke, Massachusetts, were sent to explore the Territory of Kansas and select a site for the location of the emigrants sent out under the protection of the Emigrant Aid Company. As before related, Dr. Robinson had passed from Kansas City to the present site of Lawrence and over the California road to the Pacific slope. The road which he traversed started at Westport, crossed the Wakarusa near what was once the town of Franklin, and wound over the low hill southeast of where now stands the State University. At this time Robinson and his party climbed the hill on which the University is now situated, and from the top of Mount Oread obtained magnificent views of the surrounding country. When chosen as agent of the Emigrant Aid Company and directed to explore the country for a suitable place for settlement, the magnificent country around Mount Oread must have been prominent in the mind of Dr. Robinson.

On arriving in Kansas Dr. Robinson passed up the Missouri as far as Leavenworth, taking note of the natural advantages of the country; while Branscomb passed directly to the present site of Lawrence, where subsequently Dr. Robinson met him. While the exploration of these advance agents was taking place, a company was being formed in New England to establish a colony in Kansas.

Twenty-nine emigrants formed this first party, who started off on their long journey with the great enthusiasm characteristic of initial movements. They received ovations at Worcester and Albany, and were cheered at all the principal stations on their westward journey. The colony traversed Lake Erie in the steamer "Plymouth Rock," and passing through Chicago, came to St. Louis, where they were met by Dr. Robinson. The Doctor at once looked after general needs, and secured transportation on the steamer "Polar Star," which left St. Louis July 24th, for Kansas City. Leaving Kansas City on July 28th, 1854, they traveled on foot to Lawrence, having an ox team to carry their baggage, and arrived at their destination July 31st. Twenty-five tents were pitched on the north side of Mount Oread, and the emigrants ate their first meal near where the old University building now stands. On the 2d day of August they went to work laying out claims, driving stakes and preparing for permanent settlement. After the New England custom, they soon held a town meeting for organization, and discussed the feasibility of locating at this place. After due consideration, it was decided by the majority to remain and form a town in this locality, on the supposition that the Massachusetts Aid Company would make this the basis of their operations in the Territory. In a day or two they moved off the hill, which they named Mount Oread, after Mr. Thayer's Castle home and the Young Ladies' Institute on Mt. Oread in Worcester, Massachusetts, and camped near the Kaw river. After spending some time in claim-hunting, quite a number of the emigrants returned East for the purpose of bringing their families.

In the mean time Dr. Robinson had returned to St. Louis to conduct to Kansas the second party of emigrants, which left Boston the last of August. This party was much larger than the first, containing sixty-seven members in the beginning, and receiving accessions on the way until the number was one hundred and fourteen, several ladies and several children being numbered in the company. They arrived at Lawrence, or Wakarusa as it was then called, September 9, when they joined the first party, and soon agreed with them upon plans for the union of the two companies and for the laying-out of the town. Among these early emigrants were many who were to take prominent part in the settlement of the future State,—pioneers in a new country who were to lay the foundation of a new commonwealth and to build their structure upon it. The character of this people was of old New England quality. They were anxious to transplant New England institutions into the fertile soil of the New West, but were not wanting in that practical thrift which ever characterized the early New England settlers; for they were interested in the fertile lands of Kansas as well as in the institutions of New England. “Truly, they sought to establish civil and religious liberty in Kansas and at the same time to enter and possess the promised land. The process was to establish homes, to develop the resources of the country, that free institutions might flourish.” The Emigrant Aid Company was sending out free men to make Kansas a free State, but in order to do this these men must first become *bona fide* settlers, tilling the soil, building towns, improving the country, and organizing government. Thus, while interested in their own welfare, they sought

the freedom of others; for, as Col. S. N. Wood, in an address delivered at the quarter-centennial celebration at Topeka, said: "The pioneers who became trusted leaders among the Free-State hosts were men who could not rest in their old, comfortable homes when the demon of human slavery was clutching at freedom's rightful heritage. Many of them were the sons of the old antislavery agitators, and had learned from childhood to hate slavery and to love freedom, and to claim it as the right of all men, races, and conditions."

It is interesting to note the effect of the transmission of puritanical ideas from New England to the plains of Kansas. The local institutions of Old England which were developed in New England have been repeated and perpetuated in the far West. Yet more remarkable than these is the philosophy of right and wrong, of duty and of service, which actuated these people. While after the manner of New England people they were strict in the observance of the law and provincial in their notions of right and wrong, a supreme consciousness of the right regardless of conventionalities was ever ready to make them break forth in denunciation of any opposition to what their conscience told them was right. These sterling qualities made them fit for pioneers, fit to stand in a great struggle for the right against fearful opposition. They must be not alone the architects of their own fortunes, but also the builders of their own commonwealth and the preservers of the liberties of the people.

They brought with them the Bible and their ideas of public schools. They brought with them ideas of New England culture and refinement. They were not forced

to leave their homes on account of personal oppression as were the Puritans and Pilgrims of old, but like those early emigrants they sought to better their economic condition and at the same time to build up civil and religious freedom in a new land. While in the railroad station at Boston the second party of emigrants sang Whittier's well-known hymn, which voiced the sentiments of the party:

"We cross the prairies as of old
Our fathers crossed the sea,
To make the West, as they the East,
The homestead of the free.

"We go to rear a wall of men
On Freedom's southern line,
And plant beside the cotton tree
The rugged northern pine.

"We're flowing from our native hills
As our free rivers flow;
The blessing of our mother land
Is on us as we go.

"We go to plant the common school
On distant prairie swells,
And give the Sabbaths of the wilds
The music of her bells.

"Upbearing, like the ark of God,
The Bible in our van,
We go to test the truth of God
Against the fraud of man."

They further voiced their sentiments in a hymn written for the occasion, as follows:

"We 'll seek the rolling prairies,
The regions yet unseen,
Nor stay our feet unwearied
By Kansas' flowing stream.

"And then with hands unfettered
Our altars we will raise;
With voices uplifted
We 'll sing our Maker's praise."

Many of the emigrants were opposed to slavery from principle, and they were now to take peaceful possession of a new land, to stand for principles which had been inculcated in their education. It is an easy matter to make professions and speeches and to agitate, but to enter a field of operation and actually to demonstrate by service what the conscience dictates is very far from easy. To establish a free State by living was the object of the Emigrant Aid Company. Mr. Eli Thayer, the founder of this Company, states this object as follows:

"The present crisis was to decide whether freedom or slavery should rule our country for centuries to come. That slavery was a great national curse; that it practically ruined one half of the nation and greatly impeded the progress of the other half. That it was a curse to the negro, but a much greater curse to the white man. It made the slaveholders petty tyrants, who had no correct idea of themselves or of anybody else. It made the poor whites of the South more abject and degraded than the slaves themselves. It was an insurmountable obstacle in the way of the nation's progress and prosperity. That it must be overcome and extirpated. That the way to do this was to go to the prairies of Kansas and show the superiority of free-labor civilization; to go with all our free-labor trophies: churches and schools, printing-presses, steam-engines, and mills; and in a peaceful contest convince every poor man from the South of the superiority of free labor. That it was much better to go and do something for free labor than to stay at home and talk of manacles and auction-blocks and bloodhounds, while deploring the never-ending aggressions of slavery. That in this contest the South had not one element of success. We had much greater numbers, much greater wealth, greater readiness of organization, and better facilities of migration. That we should put a cordon of free States from Minnesota to the Gulf of Mexico, and stop the forming of slave States.

After that we should colonize the northern border slave States and exterminate slavery. That our work was not to make women and children cry in antislavery conventions by sentimental appeals, BUT TO GO AND PUT AN END TO SLAVERY."¹

Such was the philosophy behind the emigration movement from New England. But the carrying out of this philosophy is what concerns us now, for it is in this Dr. Robinson appears prominent.

Other emigrants were pouring in from different parts of the North and Northwest. But it is the province of this book to follow more especially the work of the Emigrant Aid Company and the connection of that Company with the settlements of eastern Kansas about Lawrence, because it is with this phase of the work that Dr. Robinson had most to do in the early period. But Lawrence from the earliest period of its existence was the storm-center of the struggle. Primarily because of its connection with the company which sought to establish freedom in Kansas, it was an object of especial hatred to the hordes of Missourians who sought to fasten the shackles of slavery upon the new Territory. In and around this center took place nearly all of those bitter struggles which characterized the early settlement of the State. Difficulties arose in very many directions. The first trouble was due to contests over disputed claims. Soon after the passage of the Douglas bill, which it will be remembered provided for squatter sovereignty in Kansas, the citizens of Missouri who were determined to make Kansas a slave State rushed across the border and staked out claims on much of the desirable land, in order to preoccupy it and prevent the

¹ The Kansas Crusade, p. 31.

Northern immigrants from establishing their claims. Nearly all of these people returned to their own homes after their claims were registered in an office in Missouri. The manner of occupation was merely to drive in a few stakes or throw a few logs across one another and call the structure a cabin, or to put up a notice saying that certain territory was preempted. This was all that was usually done towards settlement. With these pretension and the registration of claims, the Missourians hoped to keep the "Yankees" off the soil. Prior to the establishment of the town-site of Lawrence, several of these claims had been taken on the ground later occupied by the town. When the emigrants arrived and laid out the town, only two of these "squatter sovereigns" were on the ground; but subsequently other "sovereigns" returned, and a strife arose out of the attempt to settle claims. The claim of one of the two "squatter sovereigns," just mentioned, was purchased and paid for, but the other claimant, a John Baldwin, refused to sell. Mr. Stearns had improved a quarter-section, but Mr. Branscomb paid him five hundred dollars out of the Emigrant Aid treasury for his claim, and he relinquished all rights and title. John Baldwin established himself within a few rods of the Stearns cabin, and asserted his right to one hundred and sixty acres of the land. The managers of the town company desired to leave the question to the courts, but Baldwin was not so inclined, and employed a young man by the name of C. W. Babcock as his attorney. Dr. Robinson advocated the defense by the Free-State settlers of all claims until the courts should settle the difficulty. Baldwin, however, associated with himself Stone and Freeman, men of some

means and influence, together with the attorney Babcock, and placed the entire business in the hands of a speculator named Starr, who immediately proceeded to lay out a rival city on the same territory, which he named Excelsior.

As the public survey had not yet been made and mapped, the titles to lands were not clearly defined, and things were in a very confused state. The strife over claims grew very bitter, contentions arising between Free-State as well as Proslavery men. But the struggle which arose out of the question of property rights finally was reduced to a strife between the antislavery and proslavery elements. An attempt was made by the Baldwin party to remove the tent of the Emigrant Aid Company's property, but the representatives of the latter were vigilant and came to the rescue. The following day, Baldwin and the Missourians began to assemble in the neighborhood of the tent, and about four o'clock the following message was sent to Dr. Robinson:

"KANSAS TERRITORY, October 6th.

DR. ROBINSON: Yourself and friends are hereby notified that you will have one-half hour to move the tent which you have on my disputed claim, and from this date desist from surveying on said claim. If the tent is not moved within one-half hour, we shall take the trouble to move the same.

(Signed) JOHN BALDWIN AND FRIENDS."

The following pointed reply was instantly returned:

"To JOHN BALDWIN AND FRIENDS: If you molest our property you do it at your peril.
C. ROBINSON AND FRIENDS."

The Missourians to the number of eighteen, fully equipped and armed, rallied around their tent. Fully thirty of the settlers rallied around their own tent, and

prepared for war. After the notice had been sent, a consultation was held between Dr. Robinson and a delegate from the enemy's post. Dr. Robinson proposed to leave the case to the settlement by arbitration of disinterested and unbiased men, or to settlement by the squatter courts then existing, or to the United States court. But a representative of the Baldwin party insisted that at the end of the half-hour they should proceed to remove the tent, and if they failed in the attempt, three thousand Missourians, or if necessary thirty thousand, would be raised in Missouri to sweep the settlers from the earth. The half-hour passed, however, and no demonstration was made; and another quarter of an hour passed and the Baldwin party were still consulting in sight of the Robinson party. A little incident perhaps had much to do with the settlement of the question. During the suspense, John Hutchinson, one of the Robinson party, asked Dr. Robinson what he would do if they attempted to remove the tent: "Would he fire to hit them, or would he fire over them?" Dr. Robinson promptly replied that he would be ashamed to fire at a man and not hit him. It appears that a man who had been with the Free-State men now went over to the Proslavery men. The latter soon afterward dispersed, and this ended the struggle for the claim.

A report of the strife and its results was circulated far and wide among the Proslavery settlers, who now sent out a call for a meeting, signed by many citizens. The sovereign people of Kansas Territory were requested to meet in Lawrence, January 11th, at eleven o'clock, to adopt measures to protect themselves against moneyed associations and influence, and against the tyrannical encroach-

ments daily made by the Lawrence association. As the Lawrence association was composed of Free-State men backed by the Emigrant Aid Company, whose purpose was known, the efforts of the Proslavery men were therefore to be directed against the association. The meeting was rather mob-like in its character, and during it an attempt was made to shoot Dr. Robinson. There was much bitterness manifested in the meeting against the Lawrence association, the Emigrant Aid Company, and Dr. Robinson in particular. Believing that the resolutions of this meeting were not expressive of the sentiments of the people at large, another meeting was called, by those who were not members of the Lawrence association but were in sympathy with it. This meeting was held in the church, on the 16th, and was composed of both members and non-members of the association, who proceeded to denounce the resolutions of the meeting of the 11th. Stirring resolutions were also adopted commending the great work of the Emigrant Aid Company, and cordially inviting the members of the Lawrence association to remain and coöperate in the settlement of the country. At the same meeting a committee of the Lawrence association passed resolutions discountenancing any acts of violence, trespass, or injustice; upholding the protection of the home and the person; denying that the Lawrence association had committed any violation of justice, and refuting the accusations of their enemies. "Dr. Robinson, toward the close of the meeting, made a short and sensible speech, refuting some of the charges made against him, counseling his hearers of the danger of quarrels among themselves, and impressing upon them the duty and necessity of union; but they

[REDACTED]



LAWRENCE, KANSAS 1854-55

Manufacture of Vermorel Street north from Water Street in foreground to river. Ferry landing at Port on New Hampshire Street.

1. First house built in Lawrence; same for
2. Second house built in Lawrence; same for
3. Third house built in Lawrence; same for
4. Fourth house built in Lawrence; same for
5. Fifth house built in Lawrence; same for
6. Sixth house built in Lawrence; same for
7. Seventh house built in Lawrence; same for
8. Eighth house built in Lawrence; same for
9. Ninth house built in Lawrence; same for
10. Tenth house built in Lawrence; same for
11. Eleventh house built in Lawrence; same for
12. Twelfth house built in Lawrence; same for
13. Thirteenth house built in Lawrence; same for
14. Fourteenth house built in Lawrence; same for
15. Fifteenth house built in Lawrence; same for
16. Sixteenth house built in Lawrence; same for
17. Seventeenth house built in Lawrence; same for
18. Eighteenth house built in Lawrence; same for
19. Nineteenth house built in Lawrence; same for
20. Twentieth house built in Lawrence; same for
21. Twenty-first house built in Lawrence; same for
22. Twenty-second house built in Lawrence; same for
23. Twenty-third house built in Lawrence; same for
24. Twenty-fourth house built in Lawrence; same for
25. Twenty-fifth house built in Lawrence; same for
26. Twenty-sixth house built in Lawrence; same for
27. Twenty-seventh house built in Lawrence; same for
28. Twenty-eighth house built in Lawrence; same for
29. Twenty-ninth house built in Lawrence; same for
30. Thirtieth house built in Lawrence; same for
31. Thirty-first house built in Lawrence; same for
32. Thirty-second house built in Lawrence; same for
33. Thirty-third house built in Lawrence; same for
34. Thirty-fourth house built in Lawrence; same for
35. Thirty-fifth house built in Lawrence; same for
36. Thirty-sixth house built in Lawrence; same for
37. Thirty-seventh house built in Lawrence; same for
38. Thirty-eighth house built in Lawrence; same for
39. Thirty-ninth house built in Lawrence; same for
40. Fortieth house built in Lawrence; same for
41. Forty-first house built in Lawrence; same for
42. Forty-second house built in Lawrence; same for
43. Forty-third house built in Lawrence; same for
44. Forty-fourth house built in Lawrence; same for
45. Forty-fifth house built in Lawrence; same for
46. Forty-sixth house built in Lawrence; same for
47. Forty-seventh house built in Lawrence; same for
48. Forty-eighth house built in Lawrence; same for
49. Forty-ninth house built in Lawrence; same for
50. Fiftieth house built in Lawrence; same for
51. Fifty-first house built in Lawrence; same for
52. Fifty-second house built in Lawrence; same for
53. Fifty-third house built in Lawrence; same for
54. Fifty-fourth house built in Lawrence; same for
55. Fifty-fifth house built in Lawrence; same for
56. Fifty-sixth house built in Lawrence; same for
57. Fifty-seventh house built in Lawrence; same for
58. Fifty-eighth house built in Lawrence; same for
59. Fifty-ninth house built in Lawrence; same for
60. Sixtieth house built in Lawrence; same for
61. Sixty-first house built in Lawrence; same for
62. Sixty-second house built in Lawrence; same for
63. Sixty-third house built in Lawrence; same for
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67. Sixty-seventh house built in Lawrence; same for
68. Sixty-eighth house built in Lawrence; same for
69. Sixty-ninth house built in Lawrence; same for
70. Seventieth house built in Lawrence; same for
71. Seventy-first house built in Lawrence; same for
72. Seventy-second house built in Lawrence; same for
73. Seventy-third house built in Lawrence; same for
74. Seventy-fourth house built in Lawrence; same for
75. Seventy-fifth house built in Lawrence; same for
76. Seventy-sixth house built in Lawrence; same for
77. Seventy-seventh house built in Lawrence; same for
78. Seventy-eighth house built in Lawrence; same for
79. Seventy-ninth house built in Lawrence; same for
80. Eightieth house built in Lawrence; same for
81. Eighty-first house built in Lawrence; same for
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83. Eighty-third house built in Lawrence; same for
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87. Eighty-seventh house built in Lawrence; same for
88. Eighty-eighth house built in Lawrence; same for
89. Eighty-ninth house built in Lawrence; same for
90. Ninetieth house built in Lawrence; same for
91. Ninety-first house built in Lawrence; same for
92. Ninety-second house built in Lawrence; same for
93. Ninety-third house built in Lawrence; same for
94. Ninety-fourth house built in Lawrence; same for
95. Ninety-fifth house built in Lawrence; same for
96. Ninety-sixth house built in Lawrence; same for
97. Ninety-seventh house built in Lawrence; same for
98. Ninety-eighth house built in Lawrence; same for
99. Ninety-ninth house built in Lawrence; same for
100. One hundredth house built in Lawrence; same for

LAWRENCE, 1854-55.



might, with voice and hand and means combined, defend these hills and valleys, these rivers and broad prairies from the curse of human bondage and chains of slavery."

Some time after this meeting an attempt was made to cut down the house of Dr. Robinson, and it was only on the approach of Free-State men that the cutting was given up and the vandals slunk away. Disturbances and annoyances and the strife for property were continued for some time. But while Dr. Robinson was in the East, having gone thither to conduct a party of emigrants westward in the spring of 1855, a compromise was made between the land-jumpers and the settlers of Lawrence. The area of the town was limited to six hundred and forty acres, and four or five men were given one hundred shares out of a total of two hundred and twenty into which the site was divided, leaving one hundred and ten shares for the original Free-State town company, two shares in trust for the endowment of a school, and eight shares for the Emigrant Aid Company. This compromise was a great detriment to the town, and there is no evidence of any reason why it should have been made, as the town-site jumpers had no right whatever to the territory. When the town-site was selected the territory included within the corporate limits was excepted from individual preëmption. As Lawrence was selected as the town-site the last of July, 1854, and these lands were not open to settlement, according to the statement of the Land Commissioner, until September 28th of that year, no individual claimant could have any right to the territory either prior to the 28th or afterward, as the land was covered by the town-site. But this compromise did not settle the difficulties in regard to claims,

which were eventually adjusted by Government officials. It was very unfortunate for the town of Lawrence that Dr. Robinson was absent at this time, because his clear head and shrewd management would not have allowed any such compromise. He would have held out to the last for what was just and right, and without doubt Government officials would have eventually settled everything in favor of the *bona fide* settlers of Lawrence. This would have been much better for the town in very many ways.

But the settlement of claims and town-sites was a small part of the trouble of these early immigrants. While the North was being aroused for the purpose of sending in Free-State men for the settlement of Kansas, Missouri and the South were wide awake to the situation, and determined if possible to make Kansas a slave State. The newspapers of Missouri all along the border denounced the "abolitionists" and "Yankees" in the vilest terms, and public speakers proclaimed the determination to blot them from the face of the earth. A meeting of Proslavery men at Salt Creek Valley resolved: "That we recognize the institution of slavery as always existing in this Territory, and recommend slaveholders to introduce their property as early as possible. That we will afford protection to no abolitionists as settlers of Kansas Territory." At Liberty, Missouri, June 8, 1854, the Democratic platform contained the following clause:

"We learn from a gentleman lately from the Territory of Kansas that a great many Missourians have already set their pegs in that country, and are making arrangements to 'darken the atmosphere' with their negroes. This is right. Let every man that owns a negro go there and settle, and our Northern brethren will be compelled to hunt further north for a location."

The division of Nebraska Territory into Kansas and Nebraska made many people think that while the latter might be free, the former was necessarily to be slave. The Missourians were thoroughly and practically committed to the latter proposition.


The *Platte Argus* stated, among other things, the following in an address to Missourians:

"Citizens of the West, of the South, and Illinois: Stake out your claims; woe be to the Abolitionist or Mormon who shall intrude upon it, or come within reach of your long and true rifles, or within point-blank shot of your revolvers. Keep a sharp lookout lest some dark night you shall see the flames curling from your houses or the midnight philanthropist hurrying off your faithful servant."

Such inflammatory articles, resolutions and speeches as these aroused the Missourians to the point of desperation, until they were ready to adopt any means whatsoever to make Kansas a slave State. They were ready to intimidate, oppress, rob, pillage, burn, shoot, even murder, for the sake of carrying their point. Hence it was that the people on the borders of Missouri interfered in every way possible in the settlement and government of Kansas. This interference appeared most prominently in the first elections in Kansas.

The Federal administration at Washington was in sympathy with the proslavery movement in Kansas; and while it endeavored to maintain a tone of respectability, it also endeavored at all times to favor the Proslavery men. Governor Reeder arrived in Lawrence on the 19th of October. This first Territorial Governor of Kansas had arrived at Leavenworth on October 7th. He was received with a great ovation, the Proslavery element predominating in the reception. They intended here to capture the

newly appointed Governor and win him over to their way of thinking. On his way to Fort Riley he visited Lawrence, where he was well received. The whole city of two hundred inhabitants assembled to welcome the Governor, and addresses, toasts, speeches, a dinner and general good cheer made this a day long to be remembered in the annals of the town. A bit of verse contributed by Mrs. S. N. Wood, full of poetic feeling and fine thought, offered to Governor Reeder a most hearty welcome to the Territory. Governor Reeder was desirous of treating everybody fairly within the Territory. This, of course, was a difficult thing to do. The lines between Proslavery and Antislavery parties were being drawn more closely every day. People were pouring in from the Northern States more rapidly than they could be well cared for, while Missouri and the South sent in some immigrants and kept up a constant agitation against the Free-State cause. Two newspapers were established in Lawrence,—the *Kansas Pioneer*, a Free-State paper edited by John and J. L. Speer, and the *Herald of Freedom*, edited by G. W. Brown. The first number of the former was printed at Medina, Ohio, and the first number of the latter at Conneautville, Pa. Mr. Speer took the copy for the first number of his paper to the office of the Kansas City *Enterprise* to have it printed, but when it was ascertained to be a Free-State paper, Judge Story, the publisher of the *Enterprise*, refused to print it. Mr. Speer met with the same experience in the office of the Leavenworth *Herald*, and was finally obliged to print his paper in his old home, Medina, Ohio, where freedom of the press and freedom of speech were not restricted.



As progress was made in the settlement and organization of Kansas, troubles began to deepen, clouds began to appear on the horizon, and these hardy pioneers were soon called upon to test their strength in the adherence to the purposes for which they had come to Kansas. Apparently the odds were against them, for the few Free-State men were under the shadow of the populous State of Missouri, whose inhabitants were determined to make Kansas a slave State and to drive the abolitionists and Free-State men from the country. The attempt at Territorial organization that was now made defined the situation and precipitated the struggle. Governor Reeder made his first election proclamation November 10th, 1854, which defined the qualification of voters and gave a list of election districts and polling-places. It provided that any free male person who was twenty-one years of age and an actual settler was entitled to vote. This election was called for the choosing of a Delegate to Congress, and was held on the 29th of November, 1854. Before the day of election, armed hordes poured over the Missouri line into the Territory for the purpose of controlling the elections. These people visited the polls, claimed that they were residents because they were in the Territory, and had a right to vote because they were twenty-one years of age, and cast votes for the Proslavery candidate, General Whitfield, who was thus illegally elected to Congress. Out of a total number of 2,833 votes which were cast for Mr. Whitfield, 1,724 were fraudulent. There is little doubt, indeed, that Mr. Whitfield could have been elected had there been no fraudulent votes cast, for at this time the majority of the citizens of the Territory were Proslavery.

Threats were made by the Proslavery people that if any one challenged a vote he would be killed. The eighth district was a remote, sparsely settled territory. In this district 584 illegal votes were cast and only 20 legal ones. At Leavenworth several hundred men came over from Platte, Clay and Ray counties, and camped around the town to control the polls. After the election was over the men from Missouri mounted their wagons and horses, crying out, "All aboard for Westport and Kansas City!" and then returned to their homes in Missouri, to await another opportunity to help control Kansas. The only salvation of the Territory seemed to be the multiplication of Free-State men who could outvote the Missourians. In February, 1855, Governor Reeder caused the census to be taken, which showed the whole number of inhabitants to be 8,501. As soon as the census was completed Governor Reeder issued a proclamation announcing an election for March 30, 1855, to choose a legislative assembly. The Missourians were preparing to control this election after the manner of the preceding one. General Atchison had made speeches in Missouri; so had one Stringfellow, who urged a firm resistance to antislavery men. Secret societies, called Blue Lodges, Friends' Societies, etc., were organized in western Missouri for the purpose of blotting out abolitionism! They passed fiery resolutions denouncing Northern men, offering large rewards for the heads of some, and asserting that they would drive the abolitionists from the country. This agitation had been going on for nearly a year. As early as May, 1854, one of the principal speakers who harangued the people from the courthouse steps in Westport repeated frequently in the course

of his speech a favorite threat: "Ball to the muzzle, knife to the hilt. Damn the abolitionists — we'll put them all in the Missouri river." Prior to the election of March, 1855, Stringfellow, in addressing a crowd at St. Joseph, Missouri, said:

"I tell you to mark every scoundrel among you that is the least tainted with free-soilism or abolitionism, and exterminate him. Neither give nor take quarter from the damned rascals. I propose to mark them in this house and on the present occasion, so that you may crush them out. To those having qualms of conscience as to violating laws, state or national, the time has come when such impositions must be disregarded, as your lives and property are in danger, and I advise you one and all to enter every election district in Kansas, in defiance of Reeder and his vile myrmidons, and vote at the point of the bowie-knife and the revolver. Neither give nor take quarter as our cause demands it. It is enough that the slaveholding interest wills it, from which there is no appeal. What right has Governor Reeder to rule Missourians in Kansas? His proclamation and prescribed oath must be disregarded; it is to your interest to do so. Mind, that slavery is established where it is not prohibited."

This was the attitude of the Missourians towards the Free-State cause in Kansas. All laws, state and national, were to be disregarded when necessary. As stated by Mrs. Robinson, the people of Missouri had been excited by the inflammatory rumors put in circulation among them by their leaders regarding the design and character of Eastern immigration. Aided by the oaths of the secret societies to which many of their people belonged, the leaders worked upon the prejudices and baser nature of these people to such a degree that they were fully equal to any deed of violence. Hundreds of ruffians poured out of Missouri into Kansas to be present on the election day, and when that day came they voted as often as they wished and in a manner suiting themselves, intimidating judges and

stuffing ballot-boxes until a majority of votes was rolled up in favor of the Proslavery candidates for Legislature. The returns of the election were carefully canvassed by Governor Reeder, who ordered a new election declared in the districts where illegal voting had occurred. To illustrate their method, it may be said that in the Lawrence district one thousand men came in wagons and on horseback on the evening preceding the election and on the following morning. Finding that they had more voters than they needed, they dispatched part of their forces to other districts. They openly asserted that they had come to the Territory to elect a Legislature to suit themselves, and afterwards boasted that they had done so. By the census recently taken the Lawrence district at this time possessed 369 voters, but 1,034 votes were cast at the election, 781 for the Proslavery candidates and 253 for the Free-Soil candidates. At the new election ordered by Governor Reeder, to be held May 25th, in those districts where frauds were evident, the results of the former election were reversed in every district but one. After the first election the Missouri and Kansas Proslavery papers boasted of the great victories their party had won. The *Leavenworth Herald* of April 6th headed a column as follows:

ALL HAIL!

THE PRO-SLAVERY PARTY VICTORIOUS.

WE HAVE MET THE ENEMY AND THEY ARE OURS.

VENI, VIDI, VICI.

FREE WHITE STATE PARTY USED UP.

The triumph of the Proslavery party is complete and overwhelming. Come on, Southern men! Bring your slaves and fill up the Territory. Kansas is saved! Abolitionism is rebuked, her fortress stormed, her flag dragged in the dust, etc.



From this time on, the great issue in Kansas was slavery. The people of Kansas henceforth needed the most careful guidance in order not to wreck the prospects of the Territory. The Free-State men were to be fought to the bitter end by the Proslavery people of Missouri and Kansas. The Free-State men were opposed by the Abolitionists at home and abroad, because the latter did not believe in the methods employed by the former. They must fight unjust laws and oppression in such a manner as not to endanger the safety of their cause. They must be careful not to array themselves against the Federal Government on the one hand, nor on the other to submit tamely to local authority when that local authority was fraudulent, deceptive, a robber and oppressor of their rights.

The people of Kansas were at this time always called Abolitionists, but they were different from the Abolitionists in spirit and in opinion. They were in Kansas to build up a free State; they were there to maintain their rights. These duties were imperative. Wendell Phillips, a leading Abolitionist of Boston, Massachusetts, had said:

“Why is Kansas a failure as a free State? I will tell you. You sent out there some thousand or two thousand men—for what? To make a living, to cultivate the 160 acres, to build houses; to send for their wives and their children; to raise wheat; to make money; to build sawmills; to plant towns. You meant to take possession of the country, as a Yankee race always takes possession of a country,—by industry, by civilization, by roads, by houses, by mills, by churches. But it will take a long time; it takes two centuries to do it.”

Yet, it took less than ten years to accomplish this great feat! It is as a counselor and guide to the Free-State men in their arduous struggle in building up a great commonwealth that Dr. Robinson appears to the best advantage.

After the election of March, 1855, which was well known to be fraudulent on account of the Missouri invasion, he advocated what at first appeared to be a very strange doctrine. He held that the Free-State men ought not in any way recognize the bogus Legislature just elected. This idea was not at first received with much favor, but the leaders as well as the rank and file of the Free-State men soon came to regard the course it suggested as, under the circumstances, the only one to follow. Dr. Robinson took the view that the Federal Government of the United States was established on the principles of justice and right; that it had dominion over all parts of the nation; that every citizen, far and wide, owed an allegiance to it; and that no person should ever oppose the Federal authorities, not only because of the right of the Government to rule, but because of the duty of law-abiding citizens to obey. Moreover, it was certain that anyone who attempted to oppose Federal authority would be beaten in the contest. Not so the Territorial Government. Here were people of different shades of political belief and belonging to different parties, seeking to build a new commonwealth in a given territory. In the building of this government it was right and just to repudiate fraud in every form, that justice might be securely established. He held that, as Missourians had obviously no right to elect a legislature for Kansas, any legislature so elected should rightly be termed a *bogus* legislature, whose authority should not be acknowledged by *bona fide* citizens of the Territory.

The following letter by Dr. Robinson to Eli Thayer, soon after the fraudulent election of the "bogus Legislature," is a clear exposition of the situation. It is also evidence



that Dr. Robinson fully comprehended the situation, and understood the nature of the foe the settlers of Kansas had to fight. In this letter he prophetically alludes to the great struggle that is to come between freedom and slavery, and the request for arms is also an indication that he knew that a conflict was inevitable:

[FOR E. THAYER. This is sent to Mr. Rice, to avoid opening and delay on the way.]

LAWRENCE, April 2, 1855.

DEAR SIR: Another election in Kansas Territory has passed, and, like the first, was controlled entirely by Missourians. A few days before the election, I was traveling in the southern and eastern part of the Territory, and met hundreds of people from Missouri on their way to the different voting precincts in the Territory. Encampments were formed in the vicinity of the polls, varying in size according to the number of voters required in the several districts to secure their end. The grand rendezvous was at Lawrence, where they had reinforcements stationed for all parts.

At Tecumseh two of the judges of election refused to take the oath prescribed by the Governor, and the third refused to proceed, when the mob, after snapping pistols at the antislavery judge and threatening to destroy all the judges if they did not leave, proceeded to choose judges of their own and go on with the election. The Free-State men accordingly abandoned the polls, and did not vote.

At Douglas the judges attempted to conform to the law and instructions of the Governor, when they were mobbed and driven off. Consequently, no antislavery voting was done at that place.

At Lawrence about a thousand Missourians took possession of the polls, and threatened to hang one of the judges — who was formerly from Missouri, but antislavery — if he refused to take their votes, and he refused to serve at all. A Proslavery man was put in his place, leaving but one of the Free-Soil. He was overruled, and refused to serve, leaving the field to our enemies, and they all voted who chose. No Free-Soil man could get near the polls till late in the day, when a few of our men voted.

I arrived at Lawrence about 3 o'clock P. M., and found the town an encampment of Missourians, who had given out that they intended in the night to destroy Lawrence, root and branch. We immediately pre-

pared to give them a good time in doing it, and kept one hundred men sleeping on their arms all night, with a good watch in all parts of the city. The Missouri spies were out during the whole time, and nothing but their finding a large guard patrolling the city saved us from destruction.

At the polls they assailed Mr. Bond and friend Stearns, who were obliged to leave, as it was in the early part of the day and but few of our people were on the ground. Bond was fired at, but not wounded. They attempted to frighten Mr. Pomeroy and make him leave the polls, but failed to do so. Some of their leaders told him *confidentially* that he was in danger; that the people were infuriated, and they could not control them nor keep them off from him. He told them they need not trouble themselves about him, but let them come on if they wanted to, for if they could not keep them off *he* could — so Mr. P. told me himself he talked to them. He was not molested.

I was told that frequent inquiries were made for me in the forenoon, and it was asserted that I would not be allowed to vote. When I learned their desire to see me I went over to the polls and voted, and then passed through their camp arm-in-arm with Mr. Brown, who also had been threatened. Neither of us was disturbed or insulted, although all eyes were turned upon us.

It is said they had two cannon with them. Col. Doniphan also was said to be here, and said that next fall they should be on hand again. It is also said that Atchison talks of running for Delegate to Congress, and bring his voters with him; and a man from Missouri, a Bentonite, says the plan is if he does so, for "Old Bullion" to take the field against him, and his friends also will see that fair play is had.

Our people have now formed themselves into four military companies, and will meet to drill till they have perfected themselves in the art. Also, companies are being formed in other places, and we want *arms*. Give us the weapons and every man from the North will be a soldier and die in his tracks if necessary, to protect and defend our rights.

It looks very much like war, and I am ready for it and so are our people. If they give us occasion to settle the question of Slavery in this country with the bayonet, let us improve it. What way can bring the slaves redemption more speedily? (Wouldn't it be rich to march an army through the slaveholding States and roll up a *black cloud* that should spread dismay and terror to the ranks of the oppressors?)



But I must close, for want of time.

Cannot your secret society send us 200 Sharps rifles as a loan till this question is settled? Also a couple of field-pieces? If they will do that, I think they will be *well used*, and preserved. I have given our people encouragement to expect something of the kind, and hope we shall not be disappointed. Please inform me what the prospect is in this direction.

If the Governor sets this election aside, we of course must have another, and shall need to be up and dressed.

In great haste,

Very respectfully,

C. ROBINSON.

To Hon. Eli Thayer, Worcester, Mass.

Following this idea, the people of the Territory began to form themselves into organizations and to hold conventions, in preparation for a great struggle for constitutional liberty. From June 8th to August 15th, no less than seven conventions were held in the city of Lawrence, all but one favoring the repudiation of the bogus Legislature. But what tended more than anything else at this juncture to arouse enthusiasm and to shape the policy of the Free-State men, was the first Fourth of July celebration held in the Territory of Kansas. The people of Lawrence and the surrounding territory met in an enthusiastic gathering about a mile from Lawrence, in a beautiful grove. Two companies of militia armed with Sharps rifles appeared in their uniforms. They were presented with a magnificent silk flag by the ladies of Lawrence. The "Star-Spangled Banner" was sung, the Declaration of Independence was read, and an oration delivered by Dr. Robinson. Then followed a dinner, after which the day was devoted to toasts, speeches, and music. It is interesting to note some of the toasts proposed. Important among them were the following: "Young Kansas — The rights of her citizens,

trodden down for a brief period, have but aroused her to an appreciation of freedom and inspired her sons with spirit and vigor which will bid defiance to her enemies." "Lawrence — Its course is onward." "The Pioneers of Kansas." "The Laborers of Kansas." "Universal Education." "Kansas — May its fertile soil never be cursed with slavery." "The Kansas Legislature — A body alien to our soil, elected by fraud — we are not responsible for its acts and ask no favors at its hands." We are told that great enthusiasm prevailed in these first patriotic exercises, and that toasts were responded to ably by educated men; for nearly all the immigrants from the North and East in the early period of Kansas were educated men, many of them college graduates.

But the most striking feature of the day was the oration of Dr. Robinson. This remarkable document was produced in full in *The Kansas Daily Tribune*, July 14th, 1855. It is worthy of permanent record, not only because of its importance in the Kansas conflict, but because it presents the position and sentiments of Dr. Robinson.¹

The oration gave a historical review of the progress of slavery, and a careful diagnosis of the present conditions. It was a bold and fearless address, appealing to the reason and stirring the emotions. Considering the situation, it appears to be the most remarkable of all of the addresses by the heroes and statesmen of the early part of the Kansas struggle. Near the close of the oration the orator appealed to the people as follows:

"What are we? Subjects, slaves of Missouri! We come to the celebration of this anniversary with our chains clanking upon our

¹ See Appendix for full copy.



limbs. We lift to heaven our manacled arms in supplication. Proscribed, denounced, we cannot so much as speak the name of liberty, except with prison-walls and halters looking us in the face. We must not only see black slavery, a blight and curse to any people, planted in our midst, and against our wishes, but we must become slaves ourselves."

In closing he said:

"Fellow-citizens, in conclusion, it is for us to choose for ourselves, and for those who shall come after us, what institutions shall bless or curse our beautiful Kansas. Shall we have freedom for all her people, and consequent prosperity, or slavery for a part, with the blight and mildew inseparable from it? Choose ye this day which ye will serve, slavery or freedom, and then be true to your choice. If slavery is best for Kansas, then choose it, but if *Liberty*, then choose that. Let every man stand in his place and acquit himself like a man who knows his rights, and, knowing, dares maintain them. Let us repudiate all laws enacted by foreign legislative bodies, or dictated by Judge Lynch over the way. Tyrants are tyrants, and tyranny is tyranny, whether under the garb of law or in opposition to it. So thought and so acted our ancestors, and so let us think and act. We are not alone in this contest. The entire nation is agitated upon the question of our rights: the spirit of '76 is breathing upon some, the handwriting upon the wall is being discerned by others, while the remainder the gods are evidently preparing for destruction. Every pulsation in Kansas vibrates to the remotest part of the body politic; and I seem to hear the millions of free men and the millions of bondmen in our land, the millions of oppressed in other lands, the patriots and philanthropists in all countries, the spirits of the Revolutionary heroes and the voice of God, all saying to the people of Kansas, 'Do your duty!'"

Thus, in the face of the hordes of Missouri under Atchison, Stringfellow, and others, who sought by fraud to make Kansas a slave State, and before the eyes of a hostile and opposing Federal Administration, Doctor Robinson threw down the gauntlet. It was the expression of the minority to rightful revolution in asserting its rights and demanding justice. It was a call to all free men to stand for the right

and to give their lives to the cause of freedom and the principles and practice of right government. As Lawrence, the storm-center of the struggle that now ensued, was a Free-State stronghold, it was subjected to the bitter hatred of the unprincipled persons in the Territory and on the Missouri border, who sought by any means, fair or foul, to make Kansas a slave State. The men who settled the town were peaceable, law-abiding citizens, who desired to settle the question of slavery at the ballot-box rather than by force of arms, but who were ready to protect their interests by the latter method if necessity required.

The threats and demonstrations made by the Proslavery leaders, residing chiefly in Missouri, and the lawless interference in Territorial elections, made it appear desirable if not necessary that the Free-State men should organize for defense. Several companies were formed, but they were without arms. It was quite natural that they should look toward New England for aid and support. They therefore asked their New England friends to send them Sharps rifles for their protection. These were sent, packed in boxes labeled "books," or anything except "arms." They were of immense service in gaining bloodless victories for the Free-State men, for the Proslavery men had a wholesome fear of these repeating rifles. The following letter, written to Mr. Thayer by Dr. Robinson, shows the latter's attitude in the matter:

LAWRENCE, July 26, 1855.

MR. THAYER — DEAR SIR: The bearer, J. B. Abbott, is a resident of this district, on the Wakarusa, about four miles from Lawrence. There is a military company formed in his neighborhood, and they are anxious to procure arms. Mr. Abbott is a gentleman in whom you can place implicit confidence, and is true as steel to the cause of Freedom in Kansas. In my judgment the rifles in Lawrence have had a



very good effect, and I think the same kind of instruments in other places would do more to save Kansas than almost anything else. Anything you can do for Mr. A. will be gratefully appreciated by the people of Kansas. We are in the midst of a revolution, as you will see by the papers. How we shall come out of the furnace, God only knows. That we have got to enter it, some of us, there is no doubt; but we are ready to be offered.

In haste, very respectfully yours,

For Freedom for a World,

C. ROBINSON.

Excitement was running high on account of the struggle between the Free-State and Proslavery parties. In Missouri the notorious secret societies called Blue Lodges were established for the extension of the Proslavery cause and for the purpose of fighting "Abolitionists" wherever they could be found. They had their spies and tools throughout Kansas Territory. In addition to this, after the arrival of Wilson Shannon, the second Territorial Governor, there was organized at Leavenworth, on November 14th, 1855, a "Law and Order Party," which, it was pretended, was formed as a vigilance committee to suppress lawlessness, but which was in reality an instrument designed by the Proslavery party to crush free-soilism and abolitionism, and to sustain the laws and government of the "bogus Legislature." For their own protection, the Free-State men organized "The Kansas Legion," a secret society for defense against the outrages of the border ruffians; but this society did not interfere with the Missouri people within their own territory. This organization tended to draw more closely the lines of battle between the Proslavery and the Free-State people.

Several events occurred which made the strife between the two parties more bitter. For example, one Pat Laugh-

lin joined the Kansas Legion, and subsequently betrayed their secrets. When brought to account for this by a member of the Legion named Collins, he shot Collins, on October 25th, 1855, and fled to Atchison, where he was protected by the Proslavery people. Another very important event, and one that exasperated the Free-State party, was the murder of Dow, a Free-State man, by a Proslavery man named Coleman, who shot Dow in cold blood on the occasion of a difficulty over a claim; although the real cause of the difficulty was that Dow was a Free-State man, or a so-called "Abolitionist." This event, which occurred on November 21st, 1855, was the beginning of a series of difficulties which led to the Wakarusa War, and is of sufficient importance to demand a recital of the more important facts connected with it.

Dow was a young man of excellent character and inoffensive nature, who boarded with a man named Branson, on a claim at Hickory Point, a place eight or nine miles south of Lawrence. Hickory Point was a timbered district, over the possession of which there was considerable contention by rival claimants. Charles Dow had taken up a claim adjoining that of Mr. Coleman, a Proslavery man, who had as neighbors Buckley and Hargous, both also ardent Proslavery men. There was considerable trouble and hard feeling between the Proslavery and Free-State men, which reached a climax in a contention between Dow and Coleman. It came about in this way: A new survey changed the provisional lines between Coleman's and Dow's claims, extending the boundary of Dow's claim into Coleman's territory, whereupon Coleman began to cut timber on the land which was formerly supposed to be covered by

his claim, but now belonged to Dow. Dow bade him desist; this he refused to do. Returning to Branson, Dow asked the latter to go over with him to see Coleman and stop his cutting the timber. Branson did so, taking his gun with him and advising Dow to do the same, but Dow declined to do this.

As they approached Coleman he went away; whereupon Branson returned home and Dow went to the blacksmith shop, where he was having a wagon-skein repaired. Soon afterward Buckley came in with his shotgun, loaded, and began to accuse Dow of using language against him, and threatened to kill him, even going so far as to cock his gun and to aim it at him. Dow said, "Mr. Buckley, you would not shoot me, would you?" and the blacksmith interfered and told Buckley that he would not allow such language in his shop. When the repairs were completed, Dow started for his home at Branson's. On the way he passed by Coleman, who, when Dow had got beyond him about thirty yards, shot the young man, instantly killing him; or so it is supposed, for he had not moved from where he fell, when he was carried away by his friend Branson some hours later, life being extinct.

It will never be known whether words were passed between Coleman and Dow at that time, but this is immaterial, for it is known that an unarmed man was killed in cold blood by one bearing a double-barreled shotgun loaded with slugs. The crime caused great excitement, and was denounced alike by Free-State and Proslavery settlers of the neighborhood. Coleman, the murderer, fled to the protection of Jones, the postmaster of Westport, Missouri, who was also the sheriff of Douglas county by ap-

pointment of the "bogus Legislature." Buckley and Hargous also left the country. The crime was committed on November 21st, and on the 26th, Monday, a meeting was held at the scene of the murder, in which about a hundred men passed resolutions of condolence with the family of Dow, and appointed a committee to bring the murderer to justice. The intense indignation against Coleman caused an attempt to burn his house, which stood near where the meeting was held. Four men broke down the door, rushed in, turned over some straw on the floor and set it on fire. Others, among whom were S. C. Smith and S. N. Wood, put out the flames, and Wood mounted a fence to urge against such action, saying: "Murder, pillage and arson are peculiarly the avocation of our enemies; houses are too scarce to be burned, and this meeting must not be disgraced in this way." He proposed, as the "sense of the meeting, that the house be not burned." This was carried unanimously, and the people quietly dispersed. However, subsequently, Coleman's house, as well as Buckley's, was burned.

Major Abbott lived on a claim about half a mile south of Blanton's bridge, and on the road to Hickory Point. S. C. Smith had a claim on Coal creek, about two miles from Mr. Branson's, while Col. S. F. Tappan and Col. S. N. Wood lived in Lawrence. At the time of the killing of Dow, S. C. Smith was in Lawrence, engaged with S. F. Tappan in making a copy of the Topeka Constitution. Wood, Tappan and Smith all attended the meeting at Hickory Point, Wood and Tappan being the only two from Lawrence out of the hundred present. After the meeting, Tappan left Wood and Smith at Abbott's, and started to Lawrence. At Blanton's bridge he saw fifteen or twenty



horsemen around Blanton's place, and soon the door opened, the men poured out, and, mounting their horses, rode off. Tappan stayed with them long enough to find out their purpose, and then returned to Abbott's.¹

It seems that, at the instance of Buckley, a warrant had been issued by a justice of the peace named Hugh Cameron² for the arrest of Branson, and that the warrant was in the hands of Sheriff Jones, who with his posse was starting out to meet Branson.

Whether Branson had made any threats to kill Buckley and Coleman, it is difficult to ascertain, although it would seem to be the most natural thing that he should desire to see Buckley and Coleman brought to justice, and it would not be too much to suppose that, in the height of his indignation, he may have threatened to kill them if a good opportunity presented, although there is no evidence that he was planning to do so. On the other hand, Buckley and Coleman probably knew that they deserved to be shot, whether anyone attempted to do it or not. Jones appears to have been glad to have an opportunity to arrest a Free-State man, as he was certainly a Proslavery sympathizer who had helped in the elections against the Free-State cause, and was especially bitter against the town of Lawrence. At least, he protected Coleman and Buckley and

¹ The correct account of the rescue of Branson is very difficult to obtain, because, while the accounts of the principal actors agree in general, they differ considerably in details. The accounts of S. C. Smith, S. N. Wood, J. E. Abbott, Jonathan Kennedy, the reports in the newspapers and the account in Andreas' History all differ in the particulars. Because the accounts of Smith and Wood agree more exactly than any others, I have relied especially upon these. It seems, however, that Wood and Abbott, according to Wood's statement, left the meeting and started for Blanton's bridge, and also fell in with this same group of horsemen which S. F. Tappan had discovered, and reported to Wood and Abbott at Abbott's house. Major Abbott's account of the affair agrees in all the essentials with Smith's and Wood's, except as regards leadership of the rescuing party, which is entirely immaterial so far as this history is concerned.

² No one seems to know quite how Cameron received his commission, although it is thought by some that it was improvised for the occasion, and granted by the bogus Legislature.

their sympathizers, and seemed to desire that Dow be got out of the way.

The neighborhood was aroused, and messengers sent out to notify Free-State settlers to meet near Branson's, and Abbott and Wood started for Hickory Point. While Wood and Abbott were on their way to Hickory Point, riding silently along, Wood turned to Abbott and asked, "What will you do if you find the rascals at Branson's?" Abbott replied, "You are the leader; just what you say."¹

When they arrived at Branson's door and asked for Branson, they were told by his wife that twenty horsemen had taken Branson and gone, with threats that they would kill him. For two hours they rode over the prairie, searching for the posse with Branson, but were unable to find them. Finally Abbott started for Hickory Point, and Wood set out to notify various settlers and to go to Abbott's house. Smith and Tappan were also riding up and down the country, notifying the settlers what had happened and what was in prospect; Philip Hupp and others were doing similar duty. Wood arrived at Abbott's house just in time to prevent the departure of a dozen Free-State men who were there; and soon after, Abbott came. While they were consulting what to do, along came Jones and his party with Branson, and the Free-State men rushed out of Abbott's house, confronting the sheriff and his posse in the road. After each party had inquired of the other what was

¹There has been considerable dispute as to the leadership in the rescue. There was no regularly elected leader until the rescuing party started for Lawrence: then S. N. Wood was chosen captain, Major Abbott beat the drum, and S. C. Smith was lieutenant. Prior to that, the honors of leadership seem to have been divided between S. N. Wood and Major Abbott. Wood, by reason of his strong nature, was a natural leader and exceedingly aggressive. Abbott was brave and true and ready for substantial action. Wood was prominent in the meeting at Hickory Point, active in sending messengers, aggressive in moving with Abbott at Hickory Point, and was the chief spokesman in the parley between Jones and the rescuing party. Abbott was the first to speak when the demand was made of Jones for the delivery of the prisoner, Branson.

up, Abbott asked, "Is Branson there?" Branson replied, "Yes, I am here, a prisoner." Wood said, "If you want to be among friends, come over here," and although Jones threatened to shoot him if he did so, Branson dismounted from the mule he was riding, walked over to the Free-State men and went into Abbott's house. Just at this time, Smith and Tappan came up and saw the Free-State men lined up across the road, with Wood in front, engaged in a sharp altercation with Jones and his party. Bitter language was used in the altercation, and on both sides guns were drawn and cocked. After an hour's parley, Jones and his party rode off, the leader threatening dire vengeance on the Free-State men.

With a posse of armed men of his own selection, Jones had gone to the house of a man who had committed no crime, had savagely taken him from his bed, without showing any warrant, and had forced the prisoner to ride half-clad about the country, while his own fellows were a part of the time in a drunken carousal. While Jones was disappointed at the loss of his prisoner in this ignominious way, he doubtless would have been glad had such a rescue occurred in Lawrence, so that he might have had an excuse for the destruction of the town. As it was, he made the best of it, and subsequently aroused the Proslavery forces against the town.

After the rescue the Free-State people organized, with S. N. Wood as captain, S. C. Smith lieutenant, and Major Abbott at the drum, and immediately started for Lawrence. About four o'clock in the morning they arrived at the house of Dr. Robinson, aroused him, and asked his advice. "The slight form of the leader stood a little nearer the door, and

when his peculiar dry manner of speech fell upon the ear in his brief inquiry, 'Is Dr. R. in?' his identity was known. Dr. Robinson opened the door and invited them in." With his keen insight and native shrewdness the Doctor at once took in the whole situation. He saw that this would probably furnish the long-wished-for pretext for calling out the forces against Lawrence, and he advised the rescuers to report in town. A meeting was soon called for the purpose of discussing the mode of procedure. It was a very important occasion, for the policy adopted here would determine the Free-State course in the coming conflict. "Early on the morning of the 27th the drum-beat calling the citizens of Lawrence together was heard in the little town of Lawrence. The noise of the hammer was still, but, in the firm tread and thoughtful countenances of the men, as they walked up the stairway to the hall where the meeting for consultation was to be held, the spirit of '76 was visible, and a determination if they must fight against oppression as our fathers did, that a new Lexington or Concord on Kansas plains should go down to posterity with the unsullied honor of her defenders."¹

When the citizens assembled, Captain S. N. Wood was made chairman. He addressed the meeting, telling of the events of the night before in the rescue of Branson. Mr. Branson also arose, telling of the killing of Dow, and of his own arrest. Others spoke, and Mr. G. P. Lowry proposed that a committee of safety composed of ten should be appointed. Dr. Robinson advised that "as Lawrence had no connection with the matter, any formal action or indorsement by her citizens would be impolitic."² Subsequently, about nine o'clock, Dr. Robinson made a second

¹ *Kansas ; Its Interior and Exterior Life*, p. 109.

² *Kansas Conflict*, p. 188.



visit to the town, found the citizens' meeting in progress, and learned that a committee of safety had been appointed, of which he was a member. "The committee was at once convened, and decided that Lawrence had nothing to do with the affair, and should assume no responsibility for it as a town, although no person censured the rescuers for their action."¹ For, notwithstanding this formal action, it was understood that the Free-State men were in full sympathy with Branson, and indignant at the murder of Dow, as well as the conduct of Buckley, the instigator of the arrest, that of Hugh Cameron, who had issued the warrant, and that of Sheriff Jones and his posse, who had arrested Branson. Yet, as the arrest of Branson had occurred some ten miles from Lawrence and the rescue about three, it could be truly affirmed that Lawrence had not planned, ordered, or executed the rescue, and therefore was not responsible for it. Branson had committed no crime, even though it is true that he stated that if he could "draw a bead on Coleman," the murderer of a member of his family, "he [Coleman] would not breathe the pure air of this planet another minute." It was far different with the rescuers of Branson, however, for they had resisted an officer of the law and forcibly taken a prisoner from him. This could be used against the Free-State men as the basis for a charge of treason and rebellion, and a pretext for calling out the militia to suppress this rebellion. Dr. Robinson advised Wood, Smith and Tappan to absent themselves for a time from the town. Wood was therefore sent to Ohio as an agent of the committee of safety, and Tappan and Smith stayed outside of the town.

¹ *Kansas Conflict*, p. 189.

Jones started for Franklin with his posse, and immediately sent a dispatch to his father-in-law, Col. Boone, at Westport, Missouri, asking for aid; and at Col. Boone's suggestion he also sent to Governor Shannon, at Shawnee Mission, for 3,000 men to put down the rebellion at Lawrence. Jones was not slow to appreciate the situation; indeed, there are those who believe that the whole affair was planned as a trap to catch the Free-State men, that Jones might have an excuse for the destruction of the town of Lawrence. Whether this is true or not, it was at least used as a pretext for this purpose, and the Free-State men of Lawrence, observing the situation, sought to avoid, in the manner indicated, giving any excuse for the destruction of the town and the putting into peril of the Free-State cause. Had the Governor been a far-seeing man, had he been thoroughly versed in the affairs of the Territory, or even had his steps been ordered with a view to securing justice to all citizens of the Territory instead of following blindly the dictates of the Federal Administration and the Proslavery party in Kansas, he could not have done such a foolish thing as to call out the militia. But without even trying to ascertain the actual condition of affairs, he issued a proclamation calling out the militia of Kansas, which really meant the calling of the ruffians of Missouri for the destruction of Lawrence. The plan worked well, for the Missourians were ready to do their part. All along the border the following order was sent out by the Proslavery party:

TO ARMS! TO ARMS!

It is expected that every lover of Law and Order will rally at Leavenworth on Saturday, December 1, 1855, prepared to march at once to the scene of the rebellion, to put down the outlaws of Douglas



County who are committing depredations upon persons and property, burning down houses, and declaring open hostility to the laws, and have forcibly rescued a prisoner from the sheriff. Come one, come all. The laws must be executed. The outlaws, it is said are armed to the teeth, and number 1,000 men. Every man should bring his rifle and ammunition, and it would be well to bring two or three days' provisions. Every man to his post and to his duty.

MANY CITIZENS.

The people from the border rushed forward, and soon there were 1,500 men confronting Lawrence. The people of Lawrence, both men and women, were preparing the town for defense. Dr. Robinson was made Commander, and General Lane his able Lieutenant. The Sharps rifles that had been shipped to Lawrence from New England were of immense value on this occasion, for fear of them kept the enemy from sudden attack. It was a strange spectacle, almost a comedy had it not been so near a tragedy, and in any case it was certainly a travesty on free government, for United States Senator Atchison to be commanding this singular horde, while Governor Shannon was hurrying other commands to the scene of war.

There was not a grain of excuse for it all. The rescuers of Branson had left the town, and there was not a day in which Jones might not go through Lawrence unmolested in doing his duty. He actually did go to the town and return without being disturbed. Governor Shannon became alarmed first for the safety of the attacking Missourians, and second for the safety of Lawrence. He sent to Colonel Sumner at Leavenworth for U. S. troops, but Sumner would not come without orders from Washington.

In the mean time, Lawrence was continually being reinforced by Free-State men from the surrounding towns. Finally the Lawrence citizens appealed to the Governor,

sending two men to acquaint him with the situation. Incredulous, he was persuaded to go to Lawrence and see for himself. Governor Shannon was amazed at the situation. He saw what his hand had wrought by his foolishly complying with the request of a foolhardy and designing sheriff, without ascertaining the exact condition of affairs. Failing to get Colonel Sumner to bring the United States troops, he brought the leaders of the besiegers into conference with the leaders of the besieged. Governor Shannon of Kansas Territory, Colonel Boone of Westport, Mo., Colonel Kearney of Independence, Mo., and General Strickler of Kansas, came to Lawrence in the interests of peace, and consulted for an hour with Robinson and Lane, the representatives of the Committee of Safety.

After Shannon had heard the whole story he suggested that a treaty be drawn up and signed by the leaders. This was accordingly done. It was an excellent way out of the dilemma, but here was another scene in the drama of spectacular government: the town of Lawrence, in rebellion, treating with the Kansas militia, the latter commanded by officers living in Missouri! The document is as follows, and was drawn up by James M. Winchell:

TREATY OF PEACE.

Whereas, there is a misunderstanding between the people of Kansas, or a portion of them, and the Governor thereof, arising out of the rescue near Hickory Point of a citizen under arrest, and some other matters; and

Whereas, a strong apprehension exists that said misunderstanding may lead to civil strife and bloodshed; and

Whereas, it is desired, by both Governor Shannon and the people of Lawrence and vicinity, to avert a calamity so disastrous to the interests of the Territory and the Union, and to place all parties in a correct position before the world;—

Now, therefore, it is agreed by the said Governor Shannon and

the undersigned people of Lawrence, that the matter in dispute be settled as follows, to wit:

We, the said citizens of said Territory, protest that the said rescue was made without our knowledge or consent, but, if any of our citizens were engaged, we pledge ourselves to aid in the execution of any legal process against them; that we have no knowledge of the previous, present, or prospective existence of any organization in the said Territory for the resistance of the laws, and that we have not designed, and do not design, to resist the legal service of any criminal process therein, but pledge ourselves to aid in the execution of the laws, when called on by proper authority, in the town or vicinity of Lawrence, and that we will use all our influence in preserving order therein; and we declare that we are now, as we ever have been, ready at any time to aid the Governor in securing a posse for the execution of such process: *Provided*, That any person thus arrested in Lawrence or vicinity, while a foreign force shall remain in the Territory, shall be duly examined before a United States district judge of said Territory in said town, and admitted to bail: *And provided further*, That Governor Shannon agrees to use his influence to secure to the citizens of Kansas Territory remuneration for any damages sustained, or unlawful depredations, if any such have been committed by a sheriff's posse in Douglas county; *and further*, that Governor Shannon states that he has not called upon persons residents of any other State to aid in the execution of the laws, and such as are here in this Territory are here of their own choice; and that he has not any authority or legal power to do so, nor will he exercise any such power, and that he will not call on any citizen of another State who may be here. That we wish it understood that we do not herein express any opinion as to the validity of the enactments of the Territorial Legislature.¹

Done at Lawrence, Kansas, December 8, 1855.

(Signed)

WILSON SHANNON.

C. ROBINSON.

J. H. LANE.

This treaty showed the good faith of the people of Lawrence and their genuine desire to settle the war, but it left them unpledged to support the "bogus" Territorial laws. Soon after the treaty had been signed, Lane

¹ Kansas: Mrs. Robinson, p. 150.

and Robinson accompanied Governor Shannon to the camp of the besiegers to persuade them to accept the terms and withdraw. It was not easy to do so, but they finally prevailed, and the Missourians started for home.

What interests us most at the present moment is the service of Dr. Robinson in command; for his wisdom and cool counsel saved the town from destruction. The services of General Lane were invaluable in the defense. His bold impetuosity was excellent to excite a struggle, but not safe when one was to be avoided. It is said that had it not been for the proper presentation of the subject to the leaders of the attack, they would not have consented to withdraw without a fight. The address of Lane aroused their antagonism, while the cool, compromising tone of Robinson caused them to submit to reason. More than once was Dr. Robinson compelled to quiet the citizens and soldiers who had assembled for the defense of Lawrence, in order to keep them from attacking the opposing camp. The policies of the two were widely different. Robinson held to the peace and defense policy, Lane to war and attack; and Robinson won. Both were of immense service to the cause, and could they have gone through the entire Kansas struggle working together they would have been strong allies in the cause of freedom. After the "war" was over, Dr. Robinson said when called on to address the citizen soldiers of Lawrence:

"Selected as your commander, it becomes my cheerful duty to tender to you, fellow-soldiers, the meed of praise so justly your due. Never did true men unite in a holier cause, and never did true bravery appear more conspicuous than in the ranks of our little army. Death before dishonor was visible in every countenance, and filled every heart. Bloodless though the contest has been, there are not

wanting instances of heroism worthy of a more chivalric age. To the experience, skill and perseverance of gallant General Lane all credit is due for the thorough discipline of our forces and the complete and extensive preparations for defense. His services cannot be overrated, and long may he live to wear the laurels so bravely won. Others are worthy of special praise for distinguished services, and all, both officers and privates, are entitled to the deepest gratitude of the people."

In the course of the remarks made by Lane he returned the compliment of Robinson by saying: "From Major-General Robinson I received the counsel and advice which characterize him as a clear-headed, cool and trustworthy commander, who is entitled to your confidence and esteem."

In the bloodless strife called the Wakarusa War, and in all the other trying scenes the pioneers of Kansas went through, Dr. Robinson was ever a "clear-headed, cool, trustworthy commander," and people found him worthy their "confidence and esteem." His relations with the Emigrant Aid Company gave him a position to bestow favors and wield power. He managed the details of the Company's affairs judiciously, and placed its services to the best advantages of the emigrants. It is unfortunate that this union of Lane's impetuosity and Robinson's cool counsel could not have continued throughout the entire Kansas struggle. This would have made the victory of the Free-State cause easier. The records of the leaders in that struggle would then have been more consistent than they are now, and, what is of greater importance, the rank and file of the people, who by their numbers and their votes made Kansas free, would have had less to suffer.

At the defense of Lawrence, John Brown made his first formal entry into the affairs of the Territory. He had been in Kansas only a short time, arriving October 6th, 1855, about two months before he came to Lawrence. His sons had written him of the border troubles in Franklin county, and he had come with arms and ammunition to help them, and, as he stated, to get a blow at slavery. He arrived at noon on December 7th, with four of his sons, in a wagon, all armed and well equipped for battle, just as the peace negotiations between Robinson and Lane and Shannon were taking place. He was very much disappointed at the prospect of peace, for he had come prepared to fight, and wanted to have an opportunity to do so. A company was formed in the fifth regiment of the Kansas Volunteers, commanded by Col. G. W. Smith, and Brown was placed in command. There was little to do but continue to fortify Lawrence and arrange the men for defense, for soon the peace negotiations were signed, the "war" declared at an end, and the "militia" that beset the beleaguered town dispersed. Brown's time of service was short, as he arrived on December 7th and his company was mustered out of service on the 12th of the same month. But he had remained long enough to reveal his personality, and courageous desire to fight, and to show his willingness even to die, if necessary, for freedom. He desired to come into conflict with the opposing forces—just what the Free-State men were seeking to avoid. Nor was he slow in attempting to disseminate dissension in the Free-State party regarding the terms of the peace, for he held that to make such a peace was compromising and putting off the struggle that must eventually come. Compromising measures



were unknown in the realm in which dwelt the spirit of old John Brown. After the bloodless victory at Lawrence he returned to his home, to await his own time and opportunity to strike a blow against the Proslavery people in his own way.

The saddest event of the Wakarusa War was the murder of Barber. Barber lived at Bloomington, seven miles southwest of Lawrence, and when the Free-State men from Bloomington came to the defense of Lawrence he came with them. It was on Thursday noon, November 6th, that he left Lawrence to visit home in company with his brother Robert and his brother-in-law, Thomas M. Pearson, who lived near him. When about three miles out of Lawrence, having left the main road, he and his companions were met by two horsemen, James Burns, of Westport, Missouri, and George W. Clark, Indian Government agent in the Pottawatomie territory, who rode from the ranks of a party of ten or twelve traveling on the California road. The party was a detachment of Proslavery men passing from the Lecompton camp to the Wakarusa camp. Barber and his companions were ordered to turn back, and on their refusing to do so pistols were drawn on both sides and shots fired. In the controversy that preceded the firing, Barber had replied that he was unarmed, and that he had been to Lawrence and was returning home. He put spurs to his horse and rode on, but George W. Clark of the attacking party instantly fired, and his bullet killed poor Barber, the only unarmed man in the group. Barber's death was not instantaneous, but soon after he had been wounded his companions found themselves unable to support him, and he slipped from his saddle and

died in the road. This deed so aroused the Free-State men that it came very near upsetting all of the peace plans of their leaders. On the other hand, as Governor Shannon looked upon the silent form of the murdered Barber he began to realize more closely the position he was in, and what it meant to call the "militia" of Kansas to help a sheriff arrest people who were not anywhere near Lawrence.

The news of the murder spread throughout the nation, arousing the North to renewed efforts. Grief, patriotism or sympathy brought forth the whole community to the funeral. One who was present said: "The love we had always borne to freedom is tenfold increased, while the hatred of oppression is intensified and strengthened. A new consecration of our energies, in this unequal fight for freedom, is made over the new-made grave." At the funeral, after the minister had finished the more than ordinary ceremony, short speeches were made by Generals Lane and Robinson. The address of the latter, though brief, was full of pathos and stirring in its appeals to manhood and patriotism. Perhaps of the great variety of Robinson's addresses and writings, the oration at the funeral of Barber is the gem.¹

The *National Era* of March 1st, 1856, published the well-known poem of John G. Whittier on the burial of Barber, which was read far and wide, arousing public sentiment and causing hundreds to reconsecrate themselves to freedom's cause. Its dominant note was conquest through suffering, endurance, and patience:

¹ See Appendix B.

" Will to suffer as you
Pass the watchword along the line,
Pass the countersign: Endure.
Not to him who rashly dares,
But to him who nobly bears,
Is the victor's garland sure."

But the Wakarusa War, closing with a compromise, was far from being the end of the great struggle. Indeed, its treachery and wickedness had scarcely begun. The severe winter that followed checked the invasions from Missouri, and prevented the marauding bands from entering Kansas. All were struggling to protect themselves from cold, and to satisfy the most common needs. Over in Missouri, however, the agents of the Blue Lodge were wide awake, preparing for new invasions in the spring, and the cold cruel winter was to open upon a summer more terrible by far with its cruelties of war, plunder and murder. The Free-State men attempted to carry out the policy which they had adopted at the beginning, and it seems that they would have succeeded had not a certain series of events caused the invaders to appeal to the courts and driven the Free-State men to retaliation in the field.

The policy of the Free-State men involved two things: first, the repudiation of the "bogus Legislature," and avoiding a conflict with the United States forces. This latter was, indeed, a difficult thing to do, for the United States forces, representing the United States Government, were backing up the "bogus Legislature." The position was untenable except in theory, for when put to the real test the Free-State men, so long as they were in the minority, must submit to the power of a Territorial government, backed up as it was by the Federal Government. Second,

the Free-State policy involved a positive course, which was to frame and adopt a constitution and organize a State government, with a possibility of admission into the Union under the constitution. This positive feature of their policy was put vigorously into operation. It, too, had its own dangers, for it went far enough to establish a separate legislature and elect a complete set of officers before admission into the Union.

On the other hand, the policy of the Proslavery party was much simpler. It was, first, to force the people of the Territory of Kansas into submission to the laws of the "bogus Legislature" and to the Territorial Government. In this they were aided by the United States Government, which favored the Proslavery party in the struggle. Here was the great disadvantage of the Free-State party; for whatever the Proslavery party did, they had behind them a legislature, a governor, a judiciary, and indeed a complete Territorial organization, with a code of laws sanctioned and supported by the Federal Government. On the other hand, the Free-State men acted without the law and outside the pale of recognized government. It is of great advantage in a struggle to have the law on your side, even though it be "bogus," or to have the government back of you even though it be elected by fraudulent votes, — and especially so when the Federal Government, legitimate in every respect, supports the law and enforces its decisions with its standing army. Again, the purpose of the Proslavery party was to exterminate all free-soilers as a method of assuring a Proslavery government. It seemed to be the only way they could dispose of those quiet, persistent, courageous people who were coming in such

numbers into the Territory to build homes, develop the country and vote for freedom. The Proslavery party also sought to bring the Free-State party into conflict with the Federal authorities. Had they succeeded, the cause of freedom would soon have been lost in Kansas.

One cannot turn to the history of these hardy pioneers, who met all the vicissitudes of a new country, who subdued the stubborn resistance of the soil, who endured the biting of the cold as they gazed through the open chinks in their log cabins, who lived upon the plainest fare, and, defenseless, were in constant terror of their lives, without feeling the most profound admiration for their devotion and fortitude. This struggling against nature and fighting against ruffians, this establishing of a government and building of a commonwealth, showed these people to be of the hardy vigor of the old Puritans who wrought their character into the state that they builded. What a meager life it was in some ways, yet how grand and full of meaning in others!—for out of those humble conditions was being brought to light the power which would eventually crush out slavery everywhere and proclaim freedom throughout the land. It was only a step from the cracking of the rifles upon the plains of Kansas to the booming of the guns at Sumter; then a few longer and more awful steps and we see the final climax of it all in Appomattox and the fifteenth amendment.

A goodly number of the eye-witnesses of the events just recorded have written descriptions of the conditions that prevailed in the Territory at that time, and accounts of all the incidents in the struggle for freedom.

As illustrating the primitive condition of affairs in the

first year in Kansas, a few brief quotations from Mrs. Robinson's diary will not be out of place:

APRIL 20th, 1855.—How lovely nature has made this Kansas valley; and yet it seems as if, from a full lap of treasured gems, she has poured out the fairest here.

APRIL 21.—The floor in the dining-room is laid. The windows are in. The door between the rooms is taken away and the stove is set, with the pipe out of the window in pure pioneer fashion. The stove, however, will put one's ingenuity to work in using, it being second-hand. Having been used six months in a boarding-house, not most carefully, the furniture is minus; and what there is, is of unknown use to me. There is one large iron boiler, which would cover the whole front of the stove, one broken gridiron, one large dripping-pan, two tin boilers holding six or eight quarts, one of which, near the top, has a nose; the other, close to the bottom, has a spout. The furniture which is the minus quantity, is: iron kettles, tea-kettles, spider, shovel and tongs. However, we get supper, stew apples,—brought from Massachusetts,—and have biscuits without butter. It is a real Graham supper with cold water. Provisions are scarce.¹

APRIL 24.—We can get no butter, no syrup, no milk, no potatoes. There is an abundance of nothing save cheese, beef, ham, and sugar. We made doughnuts, and after a consultation, fried them in a two-quart tin upon the top of the stove.

APRIL 26.—A most delightful day. It seemed wicked not to gather new life and cull enjoyment from the bright skies and flowing prairies. Soon had the horse put into harness and was bounding over them.

APRIL 29.—We attended church. How strange everything appeared! The hall where the meetings are held is in a two-story building. It is simply boarded with cottonwood, and that to a person in this country is explanation sufficient of its whole appearance; for the sun here soon curls the boards, every one shrinking from every other, leaving large cracks between. For a desk to support the gilded morocco-covered Bible, sent to the Plymouth Church, a rough box turned endwise and standing near one end of the hall was used. The singers, with seraphine, were seated upon one side of the preacher, while upon the other side, also fronting the desk, were other seats,—rough boards, used until the settees are finished. All of this seemed

¹ Kansas; Its Interior and Exterior Life, p. 38.



SARA T. D. ROBINSON, 1857.

rough and uncouth, and at first moment we felt that two thousand miles lay between us and the pleasant sanctuaries of our fathers, where they tread the aisles on soft carpets, listen to the Word read from its resting-place of richest velvet, and to the pealing organ's deep rich tones. But when we looked upon the pleasant faces around us, so familiar all in look, in manner, in attire, and the services commenced with the singing of hymns learned long ago, and we heard in the persuasive, winning tones of the preacher, the same heavenly truths which will render one's life here as holy as elsewhere, let us so will it, we felt that New England was in our midst. We realized more fully the truth which has been pervading our thoughts for many days, that "A man's life consisteth not in the abundance of the things which he possesseth." Happiness does not consist in the furnishings of the upholsterer. It may be as pure and unalloyed in "gypsy hut as palace hall." Most of us have come to this far-away land with a mission in our hearts, a mission to the dark-browed race, and hoping here to stay the surging tide of slavery, to place that barrier which utters in unmistakable language, "Thus far shalt thou go and no farther." This unlocks our hearts to each other, and at once we recognize a friend actuated by sympathies and hopes.¹

Such are pictures of the life to which the women of the East came to support their husbands and brothers in a struggle to subdue the wilds of nature and secure freedom to mankind. These women cheerfully adapted themselves to the rude domestic life, giving courage and persistency to the men in the larger struggle to make Kansas free. They met the trying difficulties of those years in the bold and faithful spirit represented in the following lines from Mrs. Robinson:

"We have fallen upon evil times in our country's history, when it is treason to think, to speak a word against the evil of slavery, or in favor of free labor.² In Kansas, prisons or instant death by barbarians are the reward; and in the Senate, wielders of bludgeons are honored by the State which has sent ruffians to desolate Kansas.

¹ Kansas, p. 41. ² Kansas, p. 347.

But in this reign of misrule the President and his advisers have failed to note the true effect of such oppression. The fires of liberty have been rekindled in the hearts of our people, and burn in yet brighter flame under midnight skies illumined by their own burning dwellings. The sight of lawless, ruthless invaders, acting under the United States Government, has filled them with that 'deep, dark, sullen, teeth-clenched silence, bespeaking their hatred of tyranny, which armed a William Tell and Charlotte Corday.' The best, the boldest utterance of man's spirit for freedom will not be withheld. The administration, with the most insane malignity, has prepared the way for a civil war, and the extermination of freemen in Kansas. With untiring malice, it has endeavored to effect this by the aid of a corrupt judiciary, packed juries, and reckless officials. In violation of the Constitution of the United States, no regard was paid to the sacred rights of freemen in their persons and property. Against the known sentiment and conviction of half the nation these deeds of infamy have been plotted, and have been diligently carried on. That a people are down-trodden is not evidence that they are subdued. The crushed energies are gathering strength; and, like a strong man resting from the heats and toils of the day, the people of Kansas will arise to do battle for liberty; and when their mighty shouts for freedom shall ascend over her hills and prairies, slavery will shrink back abashed. Life, without liberty, is valueless, and there are times which demand the noble sacrifice of life. The people of Kansas are in the midst of such times; and amid discomfiture and defeat men will be found who for the right will stand with sterner purpose and bolder front. Kansas will never be surrendered to the slave-power. God has willed it! Lawrence, the city where the plunderer feasted at the hospitable table, and, Judas-like, went out to betray it, will come forth from its early burial clothed with yet more exceeding beauty. Out of its charred and blood-stained ruins, where the flag of rapine floated, will spring the high walls and strong parapets of freedom. The sad tragedies in Kansas will be avenged, when freedom of speech, of the press, and of the person, are made sure by the downfall of those now in power, and when the song of the reaper is heard again over our prairies, and, instead of the clashing of arms, we see the gleam of the ploughshare in her peaceful valleys. Men of the North, shall the brave hearts in Kansas struggle alone?"

Soon after the Wakarusa War, Dr. Robinson wrote to

John C. Frémont, reminding him of their early acquaintance in California, and pointing out the similarity of situation here in Kansas to that of California at that time in regard to the slavery question. Frémont was then considering the probability of his nomination for President. While it may not be that he was seeking the place, yet enough had been said about the possibility of his being nominated to cause anxiety on his part at the turn affairs had taken, and to make him exceedingly careful in the expression of his opinions as to the proper solution of the Kansas troubles. Robinson's letter would prove of interest to the reader, but it is not obtainable. It is thought worth while, however, to publish Frémont's reply. It shows some conception on Frémont's part of the national importance of the situation in Kansas, yet one cannot but note the extreme caution of the writer at this juncture of national politics:

NEW YORK, 176 Second Avenue, March 17, 1856.

MY DEAR SIR: Your letter of February reached me in Washington some time since. I read it with much satisfaction. It was a great pleasure to find that you retained so lively a recollection of our intercourse in California. But my own experience is, that permanent and valuable friendships are most often formed in contests and struggles. If a man has good points, then they become salient, and we know each other suddenly.

I had both been thinking and speaking of you latterly. The Banks balloting in the House and your movements in Kansas had naturally carried my mind back to our one hundred and forty ballots in California, and your letter came seasonably and fitly to complete the connection. We were defeated then, but that contest was only an incident in a great struggle, and the victory was deferred, not lost. You have carried to another field the same principle, with courage and ability to maintain it; and I make you my sincere congratulations on your success,—indistinct so far, but destined in the end to triumph absolutely.

I had been waiting to see what shape the Kansas question would take in Congress, that I might be enabled to give you some views in relation to the probable result. Nothing yet has been accomplished; but I am satisfied that in the end Congress will take efficient measures to lay before the American people the exact truth concerning your affairs. Neither you nor I can have any doubt what verdict the people will pronounce, upon a truthful exposition. It is to be feared, from the Proclamation of the President, that he intends to recognize the usurpation in Kansas as the legitimate government, and that its sedition law, the test oath, and the means to be taken to expel its people as aliens, will all directly or indirectly be supported by the army of the United States. Your position will undoubtedly be difficult, but you know I have great confidence in your firmness and prudence. When the critical moment arrives, you must act for yourself — no man can give you counsel. A true man will always find his best counsel in that inspiration which a good cause never fails to give him at the instant of trial. All history teaches us that great results are ruled by a wise Providence, and we are but units in the great plan. Your action will be determined by events as they present themselves, and at this distance I can only say that I sympathize cordially with you; and that as you stood by me firmly and generously when we were defeated by the Nullifiers in California, I have every disposition to stand by you in the same way in your battle with them in Kansas.

You see that what I have been saying is more in reply to the suggestions which your condition makes to me, than any answer to your letter, which more particularly regards myself. The notice which you had seen of me, in connection with the Presidency, came from the partial disposition of friends, who think of me more flatteringly than I do of myself; and does not, therefore, call for any action from us.

Repeating that I am really and sincerely gratified in the renewal of our old friendship, or rather in the expression of it, which I hope will not hereafter have so long an interval, I am,

Yours very truly,

J. C. FREMONT.

Gov. Charles Robinson, Lawrence, Kansas.

The year 1855 closed with the stirring events connected with the Wakarusa War. In the local contests the Free-

State men had won a victory. They had maintained their position against superior numbers without an open conflict with the Federal authority. They had demonstrated their power and established a hope, if not an assurance, of victory. But the ensuing year was to bring a severer trial of their strength and fortitude. Their enemies were to shift their plan of battle and to employ new tactics for their destruction. The attempt to drive the friends of freedom from the soil had failed, and other means must be sought if Kansas was to be made a slave State.

While the local struggles were going on, the Free-State men were not idle in other directions, for they were working their way toward State organization and admission into the Union. They were holding conventions, resolving, and organizing. They even went so far as to make a constitution, elect State officers, and attempt State legislation. As the constitutional development was the central idea of the struggle from this on, it will be necessary to follow somewhat in detail the various steps in the organization of the Free-State forces and the consequent attacks of the Proslavery advocates.

CHAPTER V.

THE CONSTITUTIONAL STRUGGLE.

BEGINNING with the first meeting called in Lawrence, June 8th, 1855, the Free-State men of Kansas entered upon a constitutional struggle for liberty. This first convention was held for the purpose of considering the propriety of calling a Territorial convention of Free-State men. At this meeting, M. F. Conway, the only Free-State man in the Legislature,¹ who resigned his position as soon as the Legislature was called, made some able and spirited remarks about the recent election, and advised that the action of the Legislature thus fraudulently chosen be repudiated, and that Congress be memorialized for relief. The meeting was presided over by John Speer, and addresses were listened to from Speer, Simpson, Ladd, Hutchinson, Elliott, and others. It was proposed to call a Territorial convention at Lawrence on the 25th of June, 1855, for the purpose of giving expression to the views of the people in relation to the recent election outrage,² and of taking such action as was deemed necessary and proper. Five delegates were to be sent from each Representative district: Elliott, Deitzler, Speer, Wood and Simpson were chosen to represent Lawrence. A committee composed of Pratt, Elliott and Abbott were to inform the Free-

¹ Conway did not receive a majority of the votes cast, but one fraudulent precinct was thrown out; this gave Conway a majority. S. D. Houston was the only member conceded to be elected from the Free-State party. He resigned. John Hutchinson was elected at the new election called by the Governor to correct fraud, but he was not allowed to take his seat.

² See Chapter IV.

State men of other districts. The convention assembled according to the call, and adopted among others the following resolutions:

"Resolved, That we are in favor of making Kansas a free Territory, and, as a consequence, a free State.

"Resolved, That we urge the people of Kansas to throw aside all minor differences, and make the freedom of Kansas the only issue.

"Resolved, That we claim no right to meddle with the affairs of the people of Missouri, or any other State, and we do claim the right to regulate our own domestic affairs, and, with the help of God, we will do it.

"Resolved, That we look upon the conduct of a portion of the people of Missouri, in the late Kansas election, as an outrage on the elective franchise of our rights as freemen; and inasmuch as many of the members of the Legislature owe their election to a combined system of force and fraud, we do not feel bound to obey any law of their enacting."

A mass meeting was called to meet at Lawrence July 11, 1855, to take active measures respecting the forming of a State constitution. While the determination to repudiate the acts of the bogus Legislature was pretty well fixed, it was difficult to get the Free-State men in line for the formation of a State constitution with the view of the speedy admission of Kansas into the Union. The politicians, most of whom were seeking opportunities for office, had advised this course, but the body of the people and the leaders of the Free-State cause were not fully in accord with the politicians. But if the people repudiated the acts of the Territorial Legislature, nothing would remain to be done but to set up another form of government in opposition. Hence the Free-State sentiment gradually crystallized in favor of a constitution.

It was on August 14th and 15th, 1855, that the first general convention of Free-State men, composed of all po-

litical parties, assembled at Lawrence. Philip Schuyler presided at the meeting, and Lane, Robinson and others were active in the deliberations of the convention. The following resolutions reported by Robinson were adopted:

"Whereas, The people of Kansas have been, since its settlement, and are now, without law-making power; therefore, be it

"Resolved, That we, the people of Kansas Territory, in mass meeting assembled, irrespective of party distinctions, influenced by common necessity, and greatly desirous of promoting the common good, do hereby call upon and request all bona fide citizens of Kansas Territory, of whatever political views and predilections, to consult together in their several election districts, and in mass conventions or otherwise, elect three delegates for each Representative to which said election district is entitled in the House of Representatives of the Legislative Assembly, by proclamation of Governor Reeder of date of March 19, 1855; said convention to meet in the town of Topeka, on the 19th day of September, 1855, then and there to consider and determine upon all subjects of public interest, and particularly upon that having reference to the speedy formation of a State Constitution, with the intention of an immediate application to be admitted as a State into the Union of the United States of America."

(This convention showed an active spirit along governmental lines, for if the Free-State men could make a constitution, have it adopted by popular vote, and have Kansas admitted into the Union under it, the victory was practically won. Although the meeting at Topeka was to occur within a little more than thirty days, another convention was called, to meet at Big Springs on September 5, 1855. It appears from the sequel that this convention was called for the purpose of organizing a Free-State party, while the convention at Lawrence was rather general in its nature. Before adjournment a Free-State executive committee was formed, consisting of Charles Robinson, chairman, Joel K. Goodin, secretary, and twenty-one other members.

The object of this committee was to have a general oversight of all the interests pertaining to the Free-State party. The permanent organization effected at Big Springs, by outlining a definite policy and completing an organization for specific party work, lessened the labor of this committee, although its members continued active in various capacities.

While the sentiments of the Free-State people were crystallizing about lines of action, the "bogus" Legislature had assembled and begun its work. If anyone prior to its meeting could have found anything to say in defense of this Legislature, he could have found nothing to say in its favor after it had done its work. It met on July 2, 1855, at Pawnee, but in four days—July 6th—adjourned to meet at Shawnee Mission, near the border of Missouri, on August 16th. The first action it took at Pawnee before adjournment was to declare that the men chosen at the second election, in place of such of those as were fraudulently elected in the March election, should be excluded from the Legislature; that is, the members who were fraudulently elected in March were seated and those who were elected to fill their places by order of the second election proclamation of Governor Reeder were not allowed to take their places. Governor Reeder vigorously opposed the movement of the Legislature from Pawnee to Shawnee Mission, and although he could not openly and clearly adopt the policy of the Free-State men and repudiate the Legislature which was elected at his own calling, yet he sympathized with the Free-State movement, and was, from this time on, a strong supporter of it. The Governor finally refused to recognize the Legislature, and now the Federal administration at Washington had to side with

either the Governor or the Legislature. The whole Proslavery element desired to have Governor Reeder recalled. If the Government should decide in favor of the Legislature, there could be no other alternative. Accordingly, Governor Reeder was finally recalled, the Legislature receiving official communication to this effect on August 16th, 1855.

The "bogus" Legislature proceeded at once to make laws for the Territory. They made voluminous statutes based on the Missouri code; in fact, most of their legislation was a mere copy of the laws of Missouri. When it became known what the Legislature had done, and what kind of laws they had enacted, a great wave of indignation passed over the Territory, which was most beneficial to the Free-State cause. The laws enacted were so severe, inhuman, and extremely partisan, that it was impossible for anyone with liberal views to feel any tolerance for them. Writing of these laws, Governor Robinson said:

"Not only was the worse than Draconian code enacted against Free-State men, but they were virtually disfranchised. Instead of leaving the choice of county officers to voters, the Legislature itself appointed them for a term of years, and gave them full control of all future elections, besides requiring a test oath of a challenged voter. Many of the enactments were simply infamous, as some selected specimens will show."¹

"SECTION 4. If any person shall entice, decoy, or carry away out of the Territory, any slave belonging to another, with intent to deprive the owner thereof of the services of such slave, or with the intent to effect or procure the freedom of such slave, he shall be adjudged guilty of grand larceny, and on conviction thereof shall suffer death.

"SECTION 5. If any person shall aid or assist in enticing, decoying or persuading, or carrying away or sending out of this Territory any slave belonging to another, with intent to procure or effect

¹ *Kansas Conflict*, p. 156.

the freedom of such slave, or with intent to deprive the owner thereof of the services of such slave, he shall be adjudged guilty of grand larceny, and on conviction thereof, suffer death.

"SECTION 6. If any person shall entice, decoy, or carry away out of any State or other territory of the United States, any slave belonging to another, with the intent to procure or effect the freedom of such slave, or deprive the owner thereof of the services of such slave, and shall bring such slave into this Territory, he shall be adjudged guilty of grand larceny, in the same manner as if such slave had been enticed, decoyed or carried out of this Territory; and in such case the larceny may be charged to have been committed in any county of this Territory into or through which such slave shall have been brought by such person; and on conviction thereof *the person offending shall suffer death.*"

"SECTION 11. If any person print, write, introduce into, publish or circulate, or cause to be brought into, printed, written, published or circulated, or shall knowingly aid or assist in bringing into, printing, publishing or circulating within this Territory, any book, magazine, handbill, or circular containing any statements, arguments, opinions, sentiments, doctrine, advice or innuendo, calculated to promote a disorderly, dangerous, or rebellious disaffection among the slaves in this Territory, or to induce such slaves to escape from their masters, or to resist their authority, he shall be guilty of felony, and be punished by imprisonment and hard labor for a term not less than five years.

"SECTION 12. If any free person, by speaking or by writing, assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate, or cause to be introduced into this Territory, written, printed, published, or circulated in this Territory, any book, paper, magazine, pamphlet or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony, and be punished by imprisonment at hard labor for a term of not less than two years."¹

These drastic measures passed by the first Territorial Legislature—a Legislature whose members were elected by fraud—defined clearly to the people of Kansas and to those of other States the true position of those who sought to make Kansas a slave State. Contrary to an express stipulation of the organic act for the creation of the Territory, which declared that the slavery question was left open to the decision of the people within the Territory, this fraudulent legislature not only asserted that the question was not

¹ Territorial Laws, 1855. Wilder's Annals, p. 73.

open for discussion, but proposed to send every man to the penitentiary who did open it.

The Free-State party had resolved to ignore the action of the first Territorial Legislature, and to repudiate its laws. Through the influence of Dr. Robinson and Col. Kersey Coates, of Kansas City, Conway, the only Free-State man in the Legislature, resigned. The brilliant letter in which Conway submitted his resignation gave a clear statement of the case and cause of the Free-State men at this time. He said:

"Instead of recognizing this as the Legislature of Kansas, and participating in the proceedings as such, I utterly repudiate it, and repudiate it as derogatory to the respectability of popular government, and insulting to the virtue and intelligence of the age. . . . Simply as a citizen and a man, I shall therefore yield no submission to this alien Legislature. On the contrary, I am ready to set its assumed authority at defiance, and shall be prompt to spurn and trample under my feet its insolent enactments whenever they conflict with my rights or inclinations."¹

The Fourth of July address of Robinson, previously quoted, had heralded the same sentiment in no uncertain sound. "Let us repudiate all laws made by foreign legislative bodies,"² was the significant point of his argument and watchword of future policy.

In his letter to Amos A. Lawrence, dated November 1, 1855, Dr. Robinson again committed himself to the doctrine of repudiation, and acknowledged that he was abiding by the text of his doctrine in his daily conduct. He said:

"We must be as independent and self-reliant and confident as the Missourians are, and never in any instance be cowed into silence or

¹ Spring, p. 64.

² See Chapter IV, and Appendix B.

subserviency to their dictation. This course on the part of prominent Free-State men is absolutely necessary to inspire the masses with confidence and keep them from going over to the enemy. . . . I have been censured for the defiant tone of my Fourth of July speech, but I was fully convinced that such a course was demanded. The Legislature was about sitting, and Free-State men were about despairing. . . . A few of us dared to take a position in defiance of the Legislature, and meet the consequences. We were convinced that our success depended upon this measure, and the demonstration of the Fourth was to set the ball in motion in connection with Conway's letter to Governor Reeder, resigning his seat and repudiating the Legislature. For a while we had to contend with opposition from the faint-hearted, but by persevering in our course, by introducing resolutions into conventions and canvassing the Territory, repudiation became universal with Free-State men. . . . We conceived it important to disown the Legislature, if at all, before we knew the character of its laws, believing that they would be such as to crush us out, if recognized as valid, and believing that we should stand on stronger ground if we came out in advance."¹

It is plain from the foregoing statements, that Dr. Robinson, if not the originator of the idea of repudiation, was the one who made the doctrine living and effective. In the meeting at Lawrence on June 8th, Conway in a speech advocated repudiation, although this was not its first mention.² In the Lawrence convention of July 11, says G. W. Brown, "the expression was unanimous for repudiation." It was at this time that the idea of forming a State Government was first made prominent.³ In the controversy as to who was the author of the policy of repudiation, Governor Robinson in his letter to the *Herald* states: "With reference to repudiation, I am of the opinion that the disposition was spontaneous in the breast of

¹ Spring : *Kansas*, pp. 61, 62.

² *Kansas Tribune*, June 13, 1855. G. W. Brown : *Herald*, June 28, 1864.

³ G. W. Brown : *Herald*, Jan. 12, 1864.

every antislavery man from the first. I think Conway needed no persuasion to repudiation." Notwithstanding this modest statement, through agitation by speech and pen this sentiment was kept alive by Robinson. Conway stated that Governor Robinson and George W. Deitzler persuaded him to resign, although afterward he seemed inclined to believe that he did it on his own responsibility. Probably, as Governor Robinson says, he required little persuasion. In his University Quarter-Centennial address Governor Robinson said: "The policy of the Free-State party was to do no wrong, commit no crime, and make the Territorial laws a dead letter by non-use, until the next general election of 1857."¹

His letters in the "Man and the Hour" series present the same thought. He says: "Not only the usurpation must be repudiated, but arms, and the best that could be had, were an absolute necessity for the Free-State settler."² Speaking of the Free-State party and their policy, he said: "They were on their good behavior, could do no wrong, commit no crime, and must be a law unto themselves, while they repudiated the so-called Territorial Legislature with its encroachments."³

Many persons condemned Governor Reeder for issuing election certificates where it was evident that fraud existed. They desired him to throw out the returns of the entire Territory and order a new election. But it was a difficult matter to obtain evidence of fraud. The machinery of government was not well established, the courts were not organized, and consequently when men swore

¹ *Kansas City Times*, June 9, 1891.

² *Kansas Herald*, February 13, 1894.

³ *Ibid.*

that they were citizens of Kansas there was no one to challenge their statements. Indeed, there were not sufficient men to do the challenging, and there was no method of testing any case afterward. It is true that Governor Reeder did cause a new election to take place in several districts, but even this did no good, for the Legislature seated the members elected on the first election and refused seats to those subsequently elected. The truth of the matter is that this Legislature simply owed its existence to usurpation and fraud, and the patriots of Kansas did well to repudiate it. It must be remembered, however, that at this time the Proslavery element was in the majority, and it was therefore necessary for the Free-State men to act with prudence. Had there been a fair election, it is probable that the Proslavery party would have won. By keeping up a firm and patient but temperate and orderly opposition, the Free-State men might well hope that a time would soon come when they could win.

While the convention held at Lawrence August 14th and 15th had given expression to the leading sentiments then prevailing among the Free-State people, it had been non-partisan, being composed of several political elements. It had called for a non-partisan meeting at Topeka to frame a constitution and to apply for admission into the Union. But at the convention at Big Springs the Free-State party was politically organized. It was then that the principles and policy of the Free-State party were formally declared in a party platform, and the party machinery set in motion.

At this convention George W. Smith was elected president. The resolutions were presented by James H. Lane and adopted by the convention, and a series of supplement-

tary resolutions were presented by J. S. Emery. "This was an important convention. It gave to the world the purposes, designs, and hopes of the Free-State party."¹ It appears from the statement of James F. Legate that Joel K. Goodin was the chief factor; in fact, the great spirit of this meeting. He was the power in the executive committee that ran the convention. Goodin was subsequently prominent in the convention held in 1855 at Topeka, and also in the convention at Grasshopper Falls, and finally became Secretary of the Council in the Free-State Territorial Legislature. Gov. Reeder also figured conspicuously in this Big Springs convention. He drew up the report of the Territorial Legislature, which was reported by J. S. Emery, chairman of this convention.

The following are among the most important resolutions adopted:

"Resolved, That we owe no allegiance or obedience to the tyrannical enactments of this spurious Legislature; that their laws have no validity or binding force upon the people of Kansas, and that every freeman among us is at full liberty, consistently with all his obligations as a citizen and a man, to defy and resist them, if he chooses so to do.

"Resolved, That we will resist them primarily with every peaceable and legal means within our power, until we can elect our own Representatives and sweep them from the statute book; and as the majority of our Supreme Court have so forgotten their official duty—have so far cast off the honor of the lawyer and the dignity of the judge—as to enter clothed with the judicial ermine into partisan contest, and, by an extra-judicial decision giving opinions in violation of all propriety, have prejudiced our case before we could be heard, and have pledged themselves to these outlaws in advance, to decide in their favor, we shall therefore take measures to carry the question of the validity of these laws to a higher tribunal, where judges are

¹ J. F. Legate: Sixth Biennial Report, State Historical Society, p. 273.

unpledged and dispassionate, where the law will be administered in its purity, and where we can at least have the hearing before the decision.

"Resolved, That we will endure and submit to these laws no longer than the best interests of the Territory require, as the less of two evils, and will resist them to a bloody issue as soon as we ascertain that peaceable remedies shall fail, and forcible resistance shall furnish any reasonable prospect of success; and that in the mean time we recommend to our friends throughout the Territory the organization of volunteer companies and the procurement and preparation of arms.

"Resolved, That we cannot, and will not, quietly submit to surrender our great 'American birthright,' the elective franchise; which first by violence, and then by chicanery, artifice, weak and wicked legislation, they have so effectively succeeded in depriving us of, and that with scorn we repudiate the 'election law,' so called, and will not meet with them on the day they have appointed for the election, but will ourselves fix upon a day, for the purpose of electing a Delegate to Congress."¹

The resolutions offered by Lane, as chairman of the committee on platform, were adopted, as follows:

"Whereas, The Free-State party of the Territory of Kansas is about to originate an organization for concert of political action in electing our own officers and moulding our institutions; and

"Whereas, It is expedient and necessary that a platform of principles be adopted and proclaimed to make known the character of our organization, and to test the qualifications of candidates and the fidelity of our members; and

"Whereas, We find ourselves in an unparalleled and critical condition — deprived by superior force of the rights guaranteed by the Declaration of Independence, the Constitution of the United States, and the Kansas Bill; and

"Whereas, The great and overshadowing question, whether Kansas shall become a Free or Slave State, must inevitably absorb all other issues, except those inseparably connected with it; and

"Whereas, The crisis demands the concert and harmonious action of all those who from principle or interest prefer free to slave labor,

¹ Robinson : *Kansas Conflict*, pp. 171, 172.

as well as those who value the preservation of the Union, and the guarantee of republican institutions by the Constitution: therefore,

"Resolved, That, setting aside all the minor issues of partisan politics, it is incumbent upon us to proffer an organization calculated to recover our dearest rights, and into which Democrats and Whigs, native and naturalized citizens, may freely enter without any sacrifice of their respective political creeds, but without forcing them as a test upon others. And that when we shall have achieved our political freedom, vindicated our right of self-government, and become an independent State of the Union, when these issues may become vital as they are now dormant, it will be time enough to divide our organization by these tests, the importance of which we fully recognize in their appropriate sphere.

"Resolved, That we will oppose and resist all non-resident voters at our polls, whether from Missouri or elsewhere, as a gross violation of our rights and a virtual disfranchisement of our citizens.

"Resolved, That our true interests, socially, morally and pecuniarily, require that Kansas should be a free State; and that free labor will best promote the happiness, the rapid population, the prosperity and wealth of our people; that slave labor is a curse to the master and to the community, if not to the slave; that our country is unsuited to it, and that we will devote our energies as a party to exclude the institution, and to secure for Kansas the constitution of a free State.

"Resolved, That the best interests of Kansas require a population of free white men, and that in the organization we are in favor of stringent laws excluding all negroes, bond or free, from the Territory; that nevertheless such measures shall not be regarded as a test of party orthodoxy.

"Resolved, That the stale and ridiculous charge of Abolitionism, so industriously imputed to the Free-State party, and so persistently adhered to in spite of all the evidence to the contrary, is without a shadow of truth to support it, and that it is not more appropriate to ourselves than it is to our opponents, who use it as a term of reproach, to bring odium upon us, pretending to believe in its truth, and hoping to frighten from our ranks the weak and timid, who are more willing to desert their principles than they are to stand up under persecution and abuse, with a consciousness of right.

"Resolved, That we will discountenance and denounce any attempt to encroach upon the constitutional rights of the people of

any State, or to interfere with their slaves; conceding to their citizens the right to regulate their own institutions, and to hold and recover their slaves, without any molestation or obstruction from the people of Kansas."¹

The platform was faithfully subscribed to by the Free-State men with one exception, that of Charles Stearns, the Garrisonian, who was a thorough Abolitionist, he refusing to sign the resolutions.

The Big Springs convention nominated A. H. Reeder candidate for Delegate to Congress, and fixed the election day for said Delegate on the second Tuesday in October. By a resolution introduced by John Hutchinson the convention indorsed the action of the "people's convention," held at Lawrence on the 14th and 15th of August, calling for a delegate convention to assemble at Topeka on September 19th to frame a constitution.²

The Big Springs convention was a serious attempt to organize all the elements of political belief, including Whigs, Democrats, Free-Soilers, etc., on a common Free-State basis in opposition to the Proslavery element in Kansas, which had the favor of the Federal Government and the especial support of the people of Missouri and of other Southern States. In constructing the platform the convention was desirous of making it broad enough for all to stand upon who were opposed to usurpation and fraud as practiced in the elections and exhibited in the "bogus laws" of the Territory.

While the convention was making the platform for the Free-State party it became evident in many ways that there were not a few discordant elements to be harmo-

¹ Wilder: *Annals of Kansas*, pp. 75, 76.

² *Ibid.*, p. 77.

nized before the party was thoroughly organized. Moreover, although the convention gave form and purpose to the Free-State movement, it is not at all certain that the latter would not have flourished quite as well had the convention never been called. As regards the slavery question, the attitude of the leaders of the party finally changed from conservative to radical, and it might have been as well for them to have saved their lengthy resolutions until they were thoroughly agreed as to abolitionism and the black man. Ostensibly called for the purpose of "constructing a national platform upon which all friends of making Kansas a free State may act in concert," the convention appears to have been chiefly characterized by the general attempt at harmonizing political factions, and by the struggles of individuals for political power. The position which this convention took regarding the general question of slavery was an embarrassing one to many members of the convention; for every other Free-State meeting and convention had favored freedom, and the present one was in a measure committed to the same idea. Yet the convention declared openly against the abolitionists and the negro. This was supposed to be a popular act at this time. It was thought by thus showing liberality, certain elements of the Democratic party might be induced to take a place in the State organization along with the Free-State men. It is interesting to note that this discrimination against the negro continued throughout the entire Free-State movement, and appears in the Wyandotte Constitution, finally adopted as the State Constitution. This is evidence of the insincerity of a certain political element that trained with the Free-State party. Viewed from the standpoint

of the opposition, every member of the Big Springs convention was an abolitionist.

A majority of the convention voted to exclude the black man from Kansas, both bond and free, still proclaiming their vows to make Kansas a free State. The repeal of the Missouri Compromise and the enactment of the Douglas Bill proclaimed that the Territory should be open to occupation, and the settlement of the slavery question determined by the citizens of the new Territory. To exclude the black man from Kansas, both bond and free, was in a measure a violation of the spirit of the Douglas bill.

The hostility of the convention to freedom for the negro appears to have been due to the influence of leading Democrats like Lane, Reeder, and Emery, who hoped in this way to hold on to the old Democratic party, then in power, with the vain expectation that that party would favor them in the establishment of a State and the adoption of a State constitution. But the attempt to placate the dominant power ended in a miserable failure, and these same vigorous Democrats finally severed their connections with the Democratic party and adhered strictly to the Free-State cause.

The same element appeared in the Topeka Convention, and by adopting an article in favor of "squatter sovereignty," thought to gain favor at Washington. It was a case in which the wise planning of the politicians failed, and the persistent actions of the rank and file of the Free-State men prevailed, because they were more in accord with the course of events. Thus did the Free-State cause outlive its own inconsistencies, thrust upon it by politicians who saw through a glass darkly.

Ex-Governor Reeder took an active part in the convention, for since his difficulty with the Federal-Democratic party he had become a rabid opponent to the Territorial Government, and openly repudiated the Legislature and the "bogus" laws. As stated before, he was nominated by this convention as the Free-State candidate for Territorial Delegate to the Thirty-fourth Congress. This election came about as ordered—on the 9th of October, 1855. As the Proslavery people failed to vote, Mr. Reeder received a large majority of all the votes cast by members of the Free-State party. But Reeder's opponent, J. W. Whitfield, was elected by the Proslavery party as Delegate to the same Congress, the Free-State men refusing to vote at his election. Hence, there were two persons elected to the same office,—one by the Free-State men and the other by the Proslavery faction. Whitfield received a certificate of election from the Territorial Government, but Reeder received none. Whereupon Reeder entered into a contest for his seat in Congress, which, though it failed, gave no little annoyance to his opponent, Whitfield.

The convention which met at Topeka on September 19th, called to take measures to frame a Free-State constitution, accomplished little more than to organize and appoint committees. W. Y. Roberts was chosen president, and J. A. Wakefield, P. C. Schuyler, L. P. Lincoln, J. K. Goodin, S. N. Latta and R. H. Phelan were chosen vice-presidents. The secretaries were E. D. Ladd, J. H. Nesbitt, and Mark W. Delahay. A committee of nineteen "on address to the people" was appointed, with J. H. Lane as chairman; also a Territorial executive committee was appointed, composed of J. H. Lane, chairman, C. K. Holliday, M. J. Parrott, P. C. Schuyler, G. W. Smith,

G. W. Brown, and J. K. Goodin, secretary.¹ After fixing the date of October 1st for the election of the delegates to the constitutional convention, the convention adjourned. It will be noticed that J. K. Goodin, secretary of the latter committee, was also secretary of a committee previously appointed to superintend the affairs of the party, called the Free-State Territorial Committee, of which Charles Robinson was chairman. The judicious counsel and clear judgment of Goodin as secretary of this and other important committees was of the greatest value to the Free-State cause.

It is notable that Dr. Robinson was not chosen a delegate either to the Big Springs convention or to the delegate convention at Topeka. There appears to have been a concerted plan to leave him out of the Big Springs convention, as the election of delegates was held at Blanton's Bridge, some distance from Lawrence, and Dr. Robinson and his friends from Lawrence were not elected. It is known that he attended the Big Springs convention. Whether his counsel was influential in the deliberations of these bodies is not known. On the other hand, James H. Lane was a strong spirit in each convention; and Reeder, as already indicated, was prominent in the Big Springs convention. But both were office-seekers at the time, and this fact would lead us to infer that there was a considerable display of political ambition on the part of several members; which, indeed, is not surprising. But Dr. Robinson again appears, after the Topeka Convention, as the chairman of the Free-State Executive Committee to look after the general

¹ Lane was a Democrat from Indiana; G. W. Smith, formerly a Whig in Pennsylvania, acted with the Democrats in the Topeka Convention; Schuyler was from New York; J. K. Goodin and M. J. Farrott from Ohio; and G. W. Brown, G. W. Smith and C. K. Holliday from Pennsylvania.

welfare of the Free-State cause throughout the Territory. In the mean time, J. H. Lane appears as chairman of the committee on an address to the people, and also as chairman of the Territorial Executive Committee,—both appointments being made by the delegate convention which met at Topeka to take measures to form a Free-State constitution.

A large number of delegates, all representing the different vocations of life, and all favorable, in a general way at least, to the Free-State cause, met at Topeka on October 23d, according to the call, to frame a constitution under which they hoped Kansas would be admitted into the Union as a State. Of the persons who composed the constitutional convention, twelve were farmers, thirteen lawyers, two merchants, three physicians, two clergymen, one saddler, one mechanic, and one journalist.¹ They came from eleven different States of the Union, and were adherents of the Democratic, Free-Soil, Whig, Republican, Free-State, and Independent parties. James H. Lane was elected president, and in his address in taking the chair he outlined briefly what he thought the policy of the convention should be. He asserted, among other things, that the supporters of the Kansas-Nebraska Bill in Congress had held that Kansas would never become a slave State, and that the members from the South were the most ardent in their support of this proposition.

Dr. Robinson appears prominent in this convention, representing Lawrence. While influential in the constructive work of the constitution, he found himself voting with the minority in reference to slavery and other questions. He was a counselor of the radical wing, which was entirely

¹ Including officers.

outnumbered by the conservative element in the convention. In fact, the convention was largely under the control of persons who composed the Big Springs convention and the Topeka convention. For the time being the affairs of the Territory were largely controlled by a group of Douglas Democrats who still adhered to the Democratic party in power, as a matter of policy. Dr. Robinson and his immediate followers, though of great force in the convention, were for the time being outnumbered and overshadowed.

A very interesting episode occurred at this time, which is presented here, not because it reveals the eccentricities of the president of the convention, but because it reveals the character of Dr. Robinson by way of contrast. The writer asks the privilege of indulging in a long quotation from the "Kansas Conflict," in which a description of the event is given:

"One night, after all had retired for the night in the attic of the Chase House, G. P. Lowry, ex-private secretary of Governor Reeder, appeared; said he had a challenge from Lane to fight a duel, and wanted Dr. Robinson to act as his second. Robinson was of course indignant that the Free-State cause should be tarnished by such transactions, and said it must not be permitted. He utterly detested dueling, knew nothing of the code, and would have nothing to do with it. Thinking, however, that he could shame Lane out of the business, he went to the Garvey House attic to see Lane. There he found him trembling with fear, or trembling with ague, so as visibly to move the cot on which he lay. On being reproved for bringing a disgrace upon the party, he said Lowry had been repeating the scandal about himself and Mrs. Lindsay, and he had determined to put a stop to it at once and forever. Notwithstanding Lane had gone to Robinson's house early in the morning and begged of him to assist in preventing Lindsay from shooting him, and though Robinson had indorsed a note to effect a settlement, yet now Lane would try to make believe there was nothing to the matter, and he was bound to stop all such talk. After dwelling upon the folly of such a course, saying

that if he should kill Lowry it would not stop the scandal nor vindicate him in public estimation, and if Lowry should kill him he would fare no better, Lane replied that he could do nothing about it, as Parrott was his second and the whole matter was in his hands. After saying that he had come to him not at the instance of Lowry, as he was anxious to fight, Robinson left the attic of Lane and returned to his own. It was concluded to accept the challenge in due form, and Major Robert Klotz was engaged to superintend the duel. The fight was to come off at eight o'clock in the morning, and the challenged party had nothing more to do but await developments. He did not wait long until a messenger appeared and wanted to change the hour from eight o'clock to eleven o'clock. This evidently was the beginning of a back-down, as the convention would be in session at that hour, and most likely Lane would have some friend posted to stop the duel. Lowry, however, accepted the change of time, and kept his peace. The convention opened as usual, and the planets retained their accustomed orbits. About half an hour before the fatal moment, Lane took the floor upon some unimportant question, and went off in one of his windy harangues. He talked up to the time set for the duel, when he, with great dignity and solemnity, closed, took his hat, and started to leave for the bloody battle-field. Instantly Judge Smith arose, in apparent agitation, made the announcement that he had learned that a hostile meeting was in contemplation, to which some members of the convention were parties, and he desired 'to move the adoption of the following resolution,' which had been previously prepared in due form. The resolution apparently created a great sensation, and proposed to expel any member of the convention who would be a party to such a meeting, either as principal or second. Of course it was unanimously adopted, but the duel was not yet off. Robinson, as he was a member of the convention, and was disposed to conform to the resolution, deputed J. F. Legate to act as second in his stead. Legate was in his element, and demanded a fight or an ignominious back-down and apology on the part of Lane. It is needless to say the apology and back-down came to the full satisfaction of the challenged party. This was the first and last duel in Kansas, so far as known, although Lane had fought a similar duel in a similar bloodless manner when a member of Congress, and he had another afterwards with Senator Douglas, who charged him with forgery and lying when he presented the Topeka Constitution to the Senate. Lane always had more or less solicitude

about his reputation for valor. To vindicate his record in the Mexican War he had written a pamphlet, which he brought with him to Kansas. No one seemed to care about such matters except himself, but he evidently thought much ado about his honor and courage was necessary to secure the confidence of the people."¹

But there was sufficient serious work for the convention to keep all members occupied night and day. Eighteen Democrats, six Whigs, four Republicans, two Free-Soilers, one Free-State and one Independent composed the convention. From this group of people of widely dissenting opinions was to come a constitution in opposition to the Proslavery party, and suitable for the admission of Kansas into the Union (if it failed not in its purpose). The evening sessions were devoted to the discussion of a resolution approving of the principles of the Kansas-Nebraska Bill. The Democrats supported the resolution, in their effort to be loyal to their party. When the convention came to a vote it stood seventeen to fifteen in favor of the resolution. In other ways strong party allegiance was displayed, and the sense of the majority of the members was decidedly against abolitionism and freedom for the slaves.

Then followed a discussion of Section 2, Article II, which treated of the basis of citizenship. This section ran as follows:² "Every *white* male citizen and every civilized male Indian who has adopted the habits of a white man of the age of twenty-one years, and shall be, at the time of offering his vote, a citizen of the United States," etc., etc., "shall be deemed a qualified elector, in all the elections under this constitution." On the motion to strike out the word "white" in this section, there were seven votes in

¹ Robinson: *Kansas Conflict*, pp. 177-179.

² Wilder's *Annals*, pp. 90-107.

favor and twenty-five against, Robinson voting in favor of striking out the word.

The Constitution was completed November 11th, 1855, and on December 15th an election was held to adopt or reject this Constitution. There were 1,731 votes for adoption and 46 against. At this same election a vote was taken on the exclusion of negroes and mulattoes from the State, and 1,278 votes were cast in favor of this exclusion to 253 against it. There was a section in the Constitution, Article I, Section 6, which declared that "There shall be no slavery in the State, nor involuntary servitude other than for punishment for crime." Thus, while there was a difference of opinion as to the exclusion of blacks from the soil, there was no indecision in respect to the exclusion of slavery. It was also declared that "No indenture of any negro or mulatto, made and executed out of the bounds of the State, shall be valid within the State."¹ This was a very important declaration, for it made Kansas appear to be a refuge for escaped slaves from other States. It virtually declared that slaves brought from other States would be free within the proposed State of Kansas. Those who advocated the exclusion of the negro and mulatto, both bond and free, from the State, endeavored to have a clause inserted in the Constitution to that effect, but, failing in this, it was passed in the form of a resolution, and a vote was taken distinct from the vote taken on the adoption of the Constitution, though occurring at the same time. Hence, while the Constitution itself did not exclude the negro from the State, it was the prevailing opinion of the majority of the convention that it should do so, and the

¹ Article I, Section 21.

sentiment in favor of exclusion was supported by the majority just to the extent which it was thought to be politic.

The foregoing statements indicate the inconsistency in the constitution-makers, for, in the call for the convention, issued by the Territorial Executive Committee, they had boldly asserted that—

"Whereas, The Territorial Government as now constituted for Kansas has proved a failure, squatter sovereignty under its workings a miserable delusion, in proof of which it is only necessary to refer to our past history and our present deplorable condition; our ballot-boxes have been taken possession of by bands of armed men from foreign States, and our people forcibly driven therefrom; persons attempted to be foisted upon us as members of the so-called Legislature, unacquainted with our wants and hostile to our best interests, some of them never residents of our Territory; misnamed laws passed, and now attempted to be enforced by the aid of citizens of foreign States, of the most oppressive, tyrannical, and insulting character; the rights of suffrage taken from us;" etc.

Notwithstanding the call declaring that "squatter sovereignty" under its workings was a miserable delusion, the majority of the delegates of the convention voted to uphold the Kansas-Nebraska Bill. While professing to make Kansas a free State, they had voted to exclude the negro from the privileges of the Constitution and the freedom of the State, and finally, had passed a resolution referring the question of the exclusion of the negro from the State to a vote of the people. Clearly, the socializing process would have to continue some time and create a more orderly and definite political life, before Kansas was fit to become a State in the great Union of States. All this came with a larger population and a broader education of the people respecting the real situation. The rejection

of Congress of the application for the admission of Kansas to the Union under the Topeka Constitution was therefore rather fortunate than otherwise.

Yet the formation of the Constitution was of untold value to the Free-State cause. It kept together the Free-State forces of the Territory; it kept all prospective office-holders in line with the hope of some emoluments under the new State Government; it organized the rank and file. The movement connected with its creation prevented the adoption of the Lecompton Constitution and the triumph of the Territorial Government under Proslavery management. Or, as it has been clearly stated by one of the foremost Kansans: "If the question be asked what useful purpose the Topeka movement subserved, the obvious answer is, that it served as a nucleus, a rallying-point, a bond of union, to the Free-State party during the most trying and dangerous period of our Territorial history. Without it the Free-State forces must have drifted, been demoralized, and probably beaten. The prospects of success were sufficiently flattering to supplement the Free-State cause with the personal ambition of a large number of able men who would be glad of official position under it."¹

Having adopted the Constitution, it was necessary to gain the recognition of Congress and obtain admission into the Union before the Constitution was operative. The Free-State leaders, however, thought it best to proceed to organize and complete the State Government and elect the Legislature, so that, on the admission into the Union, the State Government would be ready to go into full opera-

¹ Hon. T. Dwight Thacher : Quarter-Centennial Address.

tion. To do this it would be necessary to call a convention for the nomination of officers, and to carry on a regular election in all of the precincts of Kansas. In such an election the Free-State people could not consistently expect the support of the Territorial Government or of its warm advocates.

CHAPTER VI.

THE CONSTITUTIONAL STRUGGLE—(CONTINUED).

THE Free-State Convention was held at Lawrence, December 15th, 1855, to nominate officers under the Topeka Constitution. J. H. Lane, W. Y. Roberts and G. W. Smith were avowed candidates for the nomination for Governor. These men were of the majority that controlled the Big Springs Convention and the majority in the Constitutional Convention, at Topeka. While others were brought into prominence at the Big Springs Convention and at the Constitutional Convention, Robinson was decidedly in the background. But political affairs were about to bring him to the front again.) His position as agent of the Emigrant Aid Company, his conduct in the Wakarusa War, and his attitude on slavery, all appealed to those who were sincerely interested in the Free-State cause. Moreover, his friends, who were in a majority, looked upon him as one well fitted for the position of Governor of the State at this juncture, as it required a man of coolness, patriotism, and prudence. It was much in his favor that he did not seek the nomination, although he accepted it willingly as a duty thrust upon him. The convention for the nomination of officers was held at Lawrence, on December 22d, and Charles Robinson was nominated for Governor.

Many being dissatisfied with the choice, a "bolters' " ticket, called a "Free-State Anti-Abolition Ticket," was formed, with W. Y. Roberts at the head. But at the election, held January 15th, 1856, the people supported the

regular nominee, giving Robinson 1,300 votes, while Roberts received only 400.¹ While the result was displeasing to the conservative element of the party, it was highly satisfactory to the radicals, for Robinson was almost an abolitionist in practical expediency, and quite so at heart. His extreme loyalty to the cause of freedom gave strength to the Free-State men in Kansas, and secured the confidence of the antislavery people throughout the Northern States.

Here, then, is the most remarkable situation ever occurring in the organization of any Territory within the United States. A complete State government was formed, constitution and all, set up in defiance of a legislature chosen by the people (?) of the same Territory, and repudiating its laws. The Free-State party was so strong in opposition to the Territorial Legislature and its "bogus laws," the offspring of Missouri, that it had determined never in any way to recognize them. To carry out this resolution they had instituted a State government, that they might live under laws of their own making. With this in view they hoped to eventually receive recognition by the Federal Government, and be admitted into the Union under the Constitution which they had framed. Should Congress refuse to recognize them, and thereby fail to seize the opportunity of allaying strife in Kansas and averting a national calamity, and should it insist on the enforcement of obedience to the "bogus laws," it might be necessary for the Free-State men to appeal to the nation rather than submit to the humiliation and outrage. The time might come when it would be necessary to put the

¹ Marcus J. Parrott was elected Lieutenant-Governor; Cyrus K. Holliday, Secretary of State; and Mark W. Delahay, Representative in Congress.

Free-State government under the Topeka Constitution into active operation.

The stand taken by the Free-State men in Kansas sent a thrill throughout the nation, and contributed not a little to the development of Republicanism in the North. The old parties were rapidly dissolving, mainly because opposition to slavery was concentrating the people in the North into one great party. The attempt of the Federal Government to force slavery upon Kansas against the wishes of the people and in direct violation of the organic act, and the raids of the Missourians across the border, increased the excitement at the North and strengthened the determination of the friends of freedom to make Kansas a free State. While there was a prospect that a change in the national administration would permit Kansas to be admitted under the Topeka Constitution, this change was a long way off, and perhaps it might not occur at all. The position of Governor under such circumstances was one of great responsibility. To hold this State government intact for several years, opposing the fraudulent Territorial Government without coming into fatal opposition to the Federal Government, was not an easy task. And what if the Proslavery element had gained a majority in the Territory, while, at the same time, holding the ascendancy in the Federal Government? What might have become of the followers of the Topeka Constitution? It is sufficient to say here, that Governor Robinson foresaw and understood all of the difficulties of his position, and met them all intelligently and fearlessly.

It was thought by the managers of the Constitutional Convention, that, if the Democrats were forced to the

front, the Constitution so constructed as to seem not to be against slavery, the Democratic administration at Washington would favor the admission of Kansas under the Topeka Constitution. It was thought, as Delahay said in the convention, that it would, with these provisions, "go through like a bullet." Yet, in spite of all the trimming of the party and all the changes in the Constitution subsequent to its adoption by the people, and its mutilation, it was finally withdrawn from consideration in the United States Senate, by Senator Cass, on account of the opposition it met with.

The supporters of this constitution had entered a great struggle for freedom. But the die was cast, and the division was now carefully marked between those who favored the admission of Kansas as a free State and those who opposed this. Many of the violent Proslavery newspaper writers advocated a war of extermination. The Free-State Executive Committee was not idle, and appointed a committee consisting of Lane, Emery, Hunt, Goodin, Dickey, Holliday, and Simpson, to make a tour throughout the United States, especially visiting some of the principal cities, in order to arouse interest among the people for the cause of the Free-State men of Kansas. An enthusiastic Free-State meeting was held in Lawrence, January 12th, 1856, three days before the election of Governor Robinson. Addresses were made by Robinson, Lane, Conway, Redpath, Speer, Mallory, and Legate; and the committee on resolutions, of which James H. Lane was chairman, reported a single resolution favoring "a Free-State government without delay, emanating from the people and responsible to them." Whatever the results that were to

come from the course pursued by the Free-State party, they were now formally committed to this course.

The formation of this Topeka Government was denounced by the President, Franklin Pierce, in a special message to Congress, January 24th, 1856. Upon the whole, this proclamation of the President was a fair representation of the actual state of affairs in Kansas. The President held, however, that the summoning of the Topeka Convention, the making and adoption of the Topeka Constitution, and the election of Member of Congress, Governor, and other officers, were illegal acts, and declared that he would attempt to support the Territorial laws of the Territorial Legislature, because they represented a part of the Federal Government of the United States. He said, nevertheless,¹ "that when the inhabitants of Kansas may desire it, and shall be of sufficient number to constitute a State, a convention of delegates duly elected by the qualified voters shall assemble to frame a constitution, and then to prepare through regular and lawful means for its admission into the Union as a State. I respectfully recommend the enactment of a law to this effect."

Subsequently, on February 11th, Pierce issued a proclamation commanding "all persons engaged in unlawful convention against the constitutional authority of the Territory of Kansas or United States to disperse, and to retire to their respective abodes."² A few days later, on February 15th, Jefferson Davis, Secretary of War, sent an order to Governor Shannon, but addressed to Col. E. V. Sumner, of

¹ *Messages and Papers of the President*, Vol. V, p. 360.

² *Wilder's Annals*, p. 109.

Fort Leavenworth and to Brevet-Col. P. St. George Cooke, Fort Riley, Gov. Shannon being in Washington. This order authorized the Governor to disperse all persons combining for insurrection against the organized government of the Territory, by power vested in the United States Marshal, and further authorized him to employ the Federal troops should the civil power be insufficient for this purpose. Secretary Davis inclosed with this order a copy of President Pierce's proclamation of February 11th, and a copy of the order issued by Secretary Davis to Col. Sumner and Col. Cooke with the sanction of the Federal Government.

Shannon, in his report to the Government, declared that Robinson and Reeder made speeches in Lawrence on the occasion of the arrival of S. N. Wood from Ohio "in company," and that these speeches were directed against the Territorial law. He also reported the organization of resistance to the laws, and the initiation of a member to the order organized for this purpose. Lane and Robinson are said to have been leaders in this secret order. The only basis for this assertion was, that Robinson and Lane were recognized throughout the country as the leaders of the Free-State cause. Shannon finally became a strong supporter of the Free-State cause, realizing that the people of Lawrence, in their defense against the ruffians of Missouri, were only acting the part of citizens in defending their homes. The result of the Wakarusa War and the trouble with Jones was, finally, the sack of Lawrence and the destruction of the town, on May 21, 1856.¹

The grand jury of Douglas county had recommended

¹ See previous chapter. Kan. Hist. Coll., Vol. 4, pp. 405-7-8-13.

that the newspapers, the *Herald of Freedom* and the *Kansas Free State*, and the Free-State Hotel, be abated as nuisances, and had indicted for treason Robinson, Reeder, Wood and others who had participated in the organization of the Free-State Government. Gov. Reeder and S. N. Wood escaped. Gov. Robinson had resigned his position as Governor, temporarily, and it was arranged that he go East for the purpose of communicating with friends for the help of Kansas. He was arrested in Lexington, Missouri, and returned. G. W. Brown, Geo. W. Deitzler, Gaius Jenkins and G. W. Smith were arrested.

A part of the object in arresting these leaders was to enable the Proslavery men to deal more easily with Lawrence and the opposition of the Free-State men. If the leaders could be disposed of, it would be an easy matter to subdue and overwhelm the remainder of the Free-State party. The grand jury issued the following indictment, which Sheriff Jones carried as authority for the destruction of Lawrence:

"The grand jury, sitting for the adjourned term of the first district court, in and for the county of Douglas, in the Territory of Kansas, beg leave to report to the honorable court that from the evidence laid before them showing that the newspaper known as the *Herald of Freedom*, published in the town of Lawrence, has, from time to time, issued publications of the most inflammatory and seditious character — denying the legality of the Territorial authority; addressing and demanding forcible resistance to the same, and demoralizing the popular mind; rendering the life and property unsafe, and even to the extent of advising assassination as a last resort. Also, that the paper known as the *Kansas Free State* has similarly been engaged, and has recently reported the resolution of a public meeting in Johnson county, in this Territory, in which resistance to the Territorial laws even unto blood has been agreed upon. And that we respectfully recommend their abatement as a nuisance.

"Also, that we are satisfied that the building known as the 'Free-State Hotel,' in Lawrence, has been constructed with a view to military occupation and defense, regularly parapeted and portholed for the use of cannon and small arms, and could only have been designed as a stronghold for the resistance of the law, thereby endangering the public safety and encouraging rebellion and sedition in this country; and respectfully recommend that steps be taken whereby this nuisance be abated."

The result of the sack of Lawrence was to give temporary gratification and joy to the Proslavery men. The *Lecompton Union* gave a description of the destruction of the town under the following headlines: "Lawrence taken!" "Glorious Triumph of the Law-and-Order Party over Fanaticism in Kansas!" Horace Greeley said: "It was the Marshal of the United States who led the ruffian regiment into Lawrence; it was by virtue of process issued by the Federal judge at Lecompton that the Free-State resistance has been paralyzed and the demoniacal work completed."

Andrew J. Reeder contested the election for Delegate to Congress of his opponent, John W. Whitfield, who claimed the seat, and who indeed was seated by Congress. To settle the difficulty, Congress appointed an investigating committee, consisting of John Sherman, W. A. Howard, and M. Oliver. They spent some time in Kansas taking testimony of numerous parties, and endured threats and insults from the Proslavery party. They finally completed their report, which was signed by Sherman and Howard, but not by Oliver, who brought in a minority report, which was in many respects an open contradiction of the majority report. This report set forth the facts that the elections had been fraudulent, that the Legislature was therefore unlawful, and that the alleged laws of the illegally consti-

tuted Legislature had not been used for the purpose of protecting persons or property or to punish wrong, but for unlawful purposes. While the report asserted that Mr. Reeder had received more votes than his opponent, it further declared that the election had not been held in pursuance of any law, and that therefore neither Whitfield nor Reeder could properly be said to have been elected. The report went on to say: "That in the present condition of the Territory, a fair election cannot be held without a new census, a stringent and well-guarded election law, the selection of impartial judges, and the presence of United States troops at every place of election."

While the investigation of the committee was being carried on, the Proslavery people of Kansas, aided by the Federal authorities, were planning a new campaign. They had failed to drive out the Free-State men with threats and force of arms. They had failed to bring them into collision with the United States troops that the Federal Government might have an excuse to drive them from the soil. A new scheme for getting rid of them was now laid. This was nothing less than to have the leaders of the Free-State party indicted for treason, arrested, and kept from the field of activity. With the leaders out of the way, the remainder could either be driven from the country or be terrified into defiance of the constituted authorities. Acting on this plan, Judge Lecompte gave a charge to the grand jury, the meaning of which could not be mistaken. In the course of this charge he said:

"This Territory was organized by an act of Congress, and so far, its authority is from the United States. It has a Legislature elected in pursuance of the organic act. This Legislature, being an instrument of Congress by which it governs the Territory, has passed laws.

These laws, therefore, are of the United States authority and making, and all who resist these laws resist the power and authority of the United States, and are therefore guilty of high treason. Now, gentlemen, if you find that any person has resisted these laws, then you must, under your oaths, find bills against them for high treason. If you find that no such resistance has been made, but that combinations have been formed for the purpose of resisting them, and individuals of notoriety have been aiding and abetting them in such combinations, then you must find bills for constructive treason."

The charge was ingeniously made, and on the face of it represented good law. For it must be held that the Legislature, once established and recognized as the servant of the United States Government, was performing a legitimate act in making laws, and that those who disobeyed these laws were in the attitude of law-breakers. The Free-State men might contend that the Legislature was fraudulently elected, but as it was recognized by Congress, it was plain that the opposers of it were in peculiar straits. While, therefore, there was undoubtedly a show of law on the side of the Proslavery element, and while there was a clear authority for the Territorial Government, backed as it was by the Federal Government, yet every one knew that this Territorial Government rested upon fraud and usurpation in the beginning, and every Free-State and liberty-loving man was determined to resist to his utmost the imposition of a slave government upon Kansas by unfair means. Yet these men felt that they must bow to the will of the United States Government. It required exceedingly nice action on their part not to come into direct opposition to the Federal authority, while they continued to reject the acts of the Legislature which represented it. Whether the organization of a Free-State government with a constitu-

tion and a memorial to Congress to be admitted into the Union could be construed as high treason and usurpation of office, seemed very doubtful. But the Chief Justice of the Territorial Court and the organized government of the Territory were against the Free-State cause and its advocates, and the Free-State men must act accordingly.

James F. Legate, a member of the grand jury, met Robinson and Reeder, with Sherman and Howard of the Congressional Investigating Committee, at Tecumseh, and informed them of the plan to indict the leading members of the Free-State party for treason, with the idea of withdrawing them from the field of active defense. The night following the reception of this information, a council of war was held at the Garvey House, in Topeka, attended by Robinson, Sherman, Reeder, Howard, Roberts, Mrs. Sherman, and Mrs. Robinson. The whole situation was fully discussed, and among other conclusions reached it was decided that the Free-State men should act in defense of the Free-State organization, but should not attack the Territorial Government. It was also decided that an agent should be sent throughout the Eastern States, to arouse the governors of those States and to enlist the services of the Free-State sympathizers. Governor Robinson was chosen for this important mission, and started for Washington with Mrs. Robinson, on the 9th day of May, going by way of St. Louis. They carried with them important documents, including the report of the Investigating Committee. They made a quick trip to Kansas City, and there took a boat for St. Louis. As Dr. Robinson had been up two or three nights, he was asleep when the boat touched



THE CONGRESSIONAL COMMITTEE—OLIVER, HOWARD, SHERMAN.

the levee at Lexington. From Mrs. Robinson's book is taken the following:

"There were very few passengers; everything was quiet; and we were making a quick trip. In the afternoon we procured some books, and went into our stateroom. From reading we soon fell asleep. At Lexington I was awakened by a noise as of many coming onto the boat. It having subsided somewhat, I was drowsing again, when the captain came to our stateroom door, opening upon the guard, with a red-faced, excitable-looking person of short stature, whom he introduced to my husband as General Shields. Whether this title of general was acquired by Mr. Shields's visit to the Territory at the time of the 'Shannon war,' last December, or whether it arose from the necessity which Western men seem to feel, that of bearing some title, I have been quite unable to learn. That he was prominent in inciting that invasion, as well as others in the Territory, is true. Another person, of larger figure, and more quiet, dignified air, came soon, and was introduced as Mr. Bernard, of Westport. After stating 'they had come upon an unpleasant errand,' they proceeded to state its purport — that of detaining my husband in Lexington, as he was fleeing from an indictment. He assured them such was not the case: that he had at all times been in Lawrence, or at places where he could have been arrested, had the authorities desired his arrest; but they had made no effort to serve any process upon him, and, so far as he knew, there was no indictment out against him."

It appeared that a mob of men had gathered who desired to take Governor Robinson and to deal roughly with him. He was told that the leaders had been talking to the mob to prevent violence, and that the longer he remained upon the boat the more dangerous it was to him. Governor Robinson thereupon asked the privilege of talking to the mob. This was refused, on the ground of danger to his person. Promises were made that he would be protected if he would go with the committee. It appearing that force would be used if necessary to take him from the boat and retain him at Lexington, he referred the matter to

Mrs. Robinson whether he should attempt to defend himself with one revolver, or go without resistance. She replied, "They will kill you if you go, and you may as well make a stand here." The committee said, "Had it not been reported that your lady was on board, violence would have at once been offered; and no restraint could have been held over the crowd." Gov. Robinson assured the committee that he had no thought of escaping from an indictment, and that had he so desired, the Missouri river and Lexington would have been avoided of all places. He ventured the assertion that at least he saw no reason why another State should interfere in matters which concerned Kansas only. This statement aroused the ire of the leader. Finally, upon the assurance of the committee on their honor that the prisoner would be protected, and after the plea of the clerk of the boat that Gov. Robinson should give himself up without resistance, for his own safety, he and Mrs. Robinson finally yielded as a matter of policy, although much against their own feelings, which prompted them to resist with force any attempt to arrest the Governor and take him forcibly from the boat.

Gov. Robinson was placed in charge of Judge Sawyer, formerly of Fitchburg, Massachusetts, who treated him "more like a prince than a fugitive from justice." Two men from the country appeared and tried to get up a mob to lynch Gov. Robinson, but when Judge Sawyer told them that he would turn Robinson into the street equally armed with the two men against them, they dropped the matter.

Two or three days thereafter, Dr. McDonald, who had been in California at the time of the Sacramento riot, and had dressed the wounds of Dr. Robinson after the latter

had been shot, heard that Robinson was detained as a prisoner at Lexington, and left the boat to visit him. When Dr. McDonald met Gov. Robinson he exclaimed, "Well, it is you, sure enough! When I heard a man with your name was a prisoner, I thought it must be you, as you are always in some scrape." While detained in Lexington Gov. Robinson learned that plans for a new invasion of Kansas were being formed. The leading citizens of the place came to talk with him, and assured him that there would be a fight; that Lawrence would be destroyed; and some went so far as to assert that the trouble would divide the North from the South,—that the Union would be dissolved, and the South would become independent. Some said that it would be a war of extermination, and that if the Free-State men could withstand the Proslavery men they would give it up.

No indictment could be found against Robinson in Lexington, and therefore he was held a prisoner for about a week, until messengers could go to Lecompton and obtain an indictment from the grand jury, and to the Governor of Missouri with a requisition from Governor Shannon. Finally, Deputy U. S. Marshal Preston came, "armed and equipped with requisition, posse, revolvers, and conveyance," and took the prisoner overland to Westport. At this place Robinson sent for Col. Kersey Coates, and retained him as his attorney. Robinson learned of the situation in Lawrence from Col. Coates, who told him that the town had not been attacked by the marshal and his posse of eight hundred men. Robinson was kept at Westport until the 22d of May,—“until after Lawrence should be attacked,” as his captors said. On the night of the 22d

Col. Preston arrived at Franklin with his prisoner, and at midnight received word from Governor Shannon to return to Leavenworth by way of Kansas City, as the Governor feared a rescue. He further declared that he would hold Colonel Preston responsible for the safe-conduct of Robinson. Orders were obeyed, and the prisoner was conducted to Westport, Kansas City and Leavenworth, arriving at the latter place on the morning of the 24th of May. There he was delivered into the hands of the sheriff of Leavenworth county, and Captain Martin of the Kickapoo Rangers and three others were appointed his guard.

While this arrest was being accomplished, Lawrence had been entered by Sheriff Jones and his posse, the hotel and printing-presses had been destroyed, stores looted, and homes desecrated and burned by the cowardly ruffians following the lawless marshal. Another important event occurred on the 24th of May, on the Pottawatomie, where John Brown killed five Proslavery men. An account of this event has already been given in this volume,¹ as well as of its effects, a part of which, among other things, was to inaugurate a general reign of terror in Leavenworth. A vigilance committee was formed, with the purpose of driving away every Free-State man from the Territory. This committee threatened to take Governor Robinson and hang him, and doubtless they would have done so had it not been for the interference of Captain Martin, who reinforced the guard. Perhaps the presence of Judge Leconte and the United States marshal in the town that day made the mob less violent, although the feeling among the Proslavery men was very bitter. Mr. Sherman, of the Con-

¹ See Chapter IV.



ROBINSON AND CAPTAIN "BILL" MARTIN, OF THE KICKAPOO RANGERS—
PRISONER AND KEEPER. 1856.

gressional Investigating Committee, called upon Governor Robinson, as did also Judge Lecompte. Governor Robinson asked the latter about the nature of his indictment. He replied, "There are two: one for usurping office, and one for high treason." Finally, Governor Robinson was conducted to Lecompton and placed in the prison-tent with six other prisoners.

Thus were the leaders of the Free-State party imprisoned, Lawrence invaded, plundered and burned,—Governor Robinson's home going up in flames with others,—and John Brown's startling deed on the Pottawatomie committed. The troubles of the Territory had just begun, and the whole summer following was a reign of terror to the harassed settlers.

Mrs. Robinson performed an important service to the Free-State cause by continuing her journey East after the arrest of her husband at Lexington. She visited the Eastern cities, bearing important letters and documents to men of influence, and consulted with many prominent people who sympathized with the cause of freedom in Kansas.

Petitions were now forwarded by the Free-State party to the governors of the States of the North, asking them to call together the State legislatures for the purpose of taking action in favor of the patriots of Kansas. The imperative need of protection for the citizens of the various States who had migrated to Kansas and who were there without protection, was urged in these petitions as the ground for such action on the part of the Northern governors. A remonstrance was drawn up for the Northern governors to sign, when it was to be forwarded to the President, conveying to him the information that the pillage and

anarchy could no longer continue in Kansas without involving the nation in civil war.

A kind of indirect appeal was also made to the President through the family of Amos A. Lawrence, and it is thought that this appeal had great influence in bringing the President to a realizing sense of the impending danger. This appeal was conveyed to the President in the following manner: Amos A. Lawrence sent a draft of a letter to Mrs. Robinson, who copied it, and forwarded it to Mr. Lawrence's mother, to whom it was written.¹ Mrs. Lawrence in turn sent it to the President's wife, who read it, and gave it to her husband to read. It is thought that this letter had much influence with the President, for Governor Shannon was soon after recalled, and Governor Geary was appointed in his place.

Governor Geary arrived in Leavenworth on September 9th, 1856, and began a vigorous campaign against lawlessness and in favor of justice and fair play. He set vigorously about the reorganization of affairs in the Territory. He attempted to harmonize the different elements, and to preserve justice and law in the courts, the Legislature, and among the people. In this he was seconded by Governor Robinson. As it appeared that Governor Geary was trying to aid the Free-State people by establishing justice and order, and as he saw that the Free-State cause would flourish under such conditions, Robinson was ready to hand in his resignation to the Free-State Legislature if by so doing he could facilitate the work of Governor Geary.²

Soon after the arrival of Governor Geary the treason prisoners were set free, and Governor Robinson returned

¹ See Appendix B.

² Kansas Historical Collections, Vol. 4, p. 682.

to Lawrence. But he had no sooner arrived there than he was called upon to work with other citizens in the defense of the town, for there appeared on the Wakarusa an armed body of Missourians led by Reid, Atchison and others, who had come to destroy Lawrence. James H. Lane was commanding the forces of militia at that time, and remained in Lawrence long enough to welcome the released treason prisoners who came from the prison camp at Lecompton. He appointed Captain Cracklin of the Lawrence "Stubbs" Lieutenant-Colonel, and, putting him in command, started on an expedition north with all of the men and arms he could get, leaving not more than fifty rifles and not more than two hundred men to be mustered into the defense of the town. Why he did this under the threatened invasion will always be a mystery. Such forces as could be mustered were brought together and stationed to the best advantage. They made a meager showing, but there were brave men among them, and when a detachment of the enemy came in sight east of the town, Captain Cracklin with a small force moved out to meet them. After a brisk skirmish the enemy withdrew, and the handful of men remained in position, expecting on the morrow to be overwhelmed by superior numbers, but willing, if necessary, to die in defense. Meanwhile, messengers were sent to Governor Geary at Lecompton, acquainting him with the situation and asking his aid. Governor Geary had just issued his proclamation commanding all armed bands in the Territory to disperse to their homes, and he at once ordered Colonel Cooke to go to Lawrence with his command. Colonel Cooke arrived in the town at night, and in the morning the enemy discovered cannon bristling on

the hill above them and a company of dragoons camped at its base, between them and the town they had expected to destroy. The enemy had lost their opportunity. Governor Geary came in person and addressed the leaders of the invading army, telling them that the destruction of Lawrence and a persistency in their course of action meant a Democratic defeat at Washington. Using this and other strong arguments, he persuaded the invaders to retire towards Missouri. Thus the invasion of the 2700 ended with a bloodless victory for the Free-State cause.

It was thought by some that Geary knew that the invaders from Missouri were to come, and were to return at his command, so that a showing of protection to the Free-State men could be made by the Democratic party, which was much in need of votes at the Presidential election. There seems to be no historical evidence to this effect. However, the party was being arraigned for lawlessness in Kansas. If it could be shown that order was restored in Kansas by the efforts of the administration, it would have great influence on the election. On the contrary, the cool courage and persistency of Governor Geary in opposing the Proslavery element in face of the Federal authority, which he subsequently did, would seem to indicate that he would not carry out a sham to save the votes of his own party.

Besides, the militia-mob assembled about Lawrence, which he went out to disperse, was called into service by the proclamation of Acting-Governor Woodson, prior to the arrival of Geary in Kansas. Governor Geary was apparently ignorant of this proclamation, and yet was dealing with its effects. Without doubt Geary was sent to

Kansas by the leaders of the Democratic party at Washington in the hope that he would pacify the country, and at least make a show of justice toward the Free-State people, thus making votes for the party in the next presidential election. But subsequently, when it was found that he intended to deal out justice to friend and foe alike, the Proslavery people turned against him — for *justice*, at this particular juncture, was a word not found in their vocabulary. After six months of strenuous effort to establish justice and promote peace and harmony, therefore, Governor Geary, like his predecessors, was obliged to leave the Territory, his life in danger, his work unfinished.

Much has been said and written about the invasion of Kansas and the attack on Lawrence by the 2700. Richard Realf wrote a stirring poem on the battle, which has a historical fact for its theme, and makes use of a large poetical license in its description. Some have sought to make John Brown the hero of the occasion. He was in Lawrence at the time, but had no command and had little to say about affairs. Had the little band of defenders been forced to meet the attacking army on that fatal to-morrow which never arrived, on account of the coming of Geary, Brown would without doubt have been seen in the thickest of the fight. But there were no heroes made in this threatened battle which resulted in a bloodless victory, though there can be no question that Robinson, Brown, Cracklin and Larnard were ready to do their duty in leading the little band of men to the defense of the town, and, probably, to their death. Beyond what is related above, there was no fighting and no other military movements, except that Colonel Larnard, commanding a small force of horse-

men, went toward Blanton's Bridge, swung round toward Franklin, and, on the approach of a large body of Missourians, retreated toward the town. However, the invasion of the 2700 marks an era in the history of the border war. It was the last systematic attempt of the Proslavery power to make Kansas a slave State by force of arms. From that time forth they accepted the fact that the "Yankees" could not be exterminated, driven out, or conquered by force. They now turned their attention to politics and constitution-making, hoping to secure by legislation, fraud, or diplomacy, what they had failed to secure by pillage, outrage, and murder. The individual acts of violence that occurred on the border and in Kansas after this were but the products of the seeds of anarchy, rapine and murder, previously sown by the attempt to coerce and exterminate a liberty-loving people.

The coming of Governor Geary, his decisive action in suppressing outlawry, and his disbanding of armed bodies of men who were marauding under the guise of militia, had much to do with the final triumph of the cause of freedom. Add to these the important action of Governor Walker, who later insured a fair vote, and by means of which the Free-State men gained possession of the Territorial Legislature, and you have the two most prominent turning-points in favor of freedom. Of course these events could not in themselves have insured freedom without the increased number of Free-State voters, who came pouring into the Territory from the North and from the East so rapidly that they were soon to outnumber the proslavery advocates and win a decisive victory at the polls.

Had the coming of Governor Geary been delayed much

longer the Free-State cause would without doubt have suddenly declined, and Lawrence, Topeka, and every Free-State settlement would have been completely demolished. While Robinson and others were imprisoned at Leecompton, Gov. Reeder, General Lane and S. N. Wood were all indicted, yet subsequently they were allowed to go through the country unmolested and without bail. Mr. Thayer in his "Kansas Crusade" holds that the arrest and imprisonment of these men was for the purpose of provoking the Free-State men to fight the United States troops in order to secure their rescue. As Lane, Montgomery and Brown were free, it was thought that they might undertake this work against the Government. Lane at once set about preparing for the rescue of the prisoners, and sent a letter to Robinson offering to set him free by force. Robinson refused to permit anything of the kind.¹

If Mr. Thayer is correct in his surmise that such a plan was ever considered by the Proslavery men, the wisdom and coolness of Robinson in not allowing force to be used caused the whole attempt to fail. While imprisoned, Robinson and others wrote to the Legislature which assembled at Topeka to be courageous and stand by the cause, but to make no resistance to Federal troops.² This body did as they advised until dispersed by Sumner. It was a small legislature, however, without a quorum, only seventeen members responding to roll-call. Many stayed away on account of fear.

Robinson was still considered the leader of the Free-State movement, and was so recognized by the enemies of

¹ Thayer's "Kansas Crusade," p. 210.

² Spring: Kansas, p. 132.

the Free-State cause. The leaders of the Proslavery party insisted that Robinson had always been the chief man of the abolitionists and the acknowledged leader in Kansas. At any rate, he may fairly be said to have been foremost among many leaders, and one of the heroic men of his times.

The Kansas struggle was in great danger of disintegrating the Democratic party, and Governor Geary had been appointed for the purpose of pacifying Kansas in view of the approaching national election.¹ He at once opened the Territory to the immigrant parties from the North, and inaugurated a fair and liberal policy which appeared to be in favor of the Free-State men merely because it was a policy of justice to all parties.

Robinson was called East, and appeared in New York, where he made a Republican speech October 22d, 1856.² Being absent from the Territory, he resigned the governorship under the Topeka Constitution. The Free-State Legislature met on January 6th, 1857, and many proceeded to find fault with Robinson and the Lieutenant-Governor for their absence. There was no quorum at this time. Those members of the Legislature who met appear not to have known as yet that Robinson had resigned. However, they resolved to adhere to the State Government, and they met again on January 7th, a quorum being present. About a dozen members were arrested, and the next day the Legislature, having no quorum, took a recess until the second Tuesday in June. Robinson was in the East on business of the Emigrant Aid Company, and was making

¹ Cordley : "History of Lawrence," pp. 128-9.

² Wilder's Annals, p. 141.

plans for the organization of the town of Quindaro.¹ He and Geary had begun on the plan for a short cut to statehood. In a letter directed to Amos A. Lawrence, December 21st, 1856, Robinson says: "What if by means of certain influences the Topeka Constitution should be admitted, the State Governor should resign, the Territorial Governor be unanimously elected and we should have a peaceable free State? Of course the Senate would need to compromise the matter with the House by providing for submitting the Constitution once more to the people. This, with the election law of Congress and Governor Geary to execute it, would be no very serious objection."²

In accordance with the above, Robinson had gone East, leaving his resignation by letter for the meeting of the Topeka Legislature, January 6th, 1857; but Robinson's mission was without result, and Geary was fast losing favor with the national administration. The administration did not like so fair and even a policy, but they were obliged to tolerate Geary till after the election, when he was forced to resign, March 4th, 1857.³

Many have censured Governor Robinson for his resignation, but he explains this in a letter to the *Boston Atlas*, dated January 28th, 1857:

"Immediately after the Presidential election . . . the people generally seemed disposed to yield everything but honor to peace, and there was apparently a desire to coöperate with any and all parties, if we might thereby secure our disenthralment from the Shawnee Mission usurpation. A hope was cherished that our admission into the Union under the Topeka Constitution might be effected, with a proviso submitting it once more to a vote of the people. . . . To this end I

¹ Wilder's Annals, pp. 148-9. ² Spring: Kansas, p. 203. ³ Wilder's Annals, p. 156.

directed my efforts, and it was that all objection to the State organization, from any source, might be removed, as well as to be able to work more efficiently and disinterestedly in securing friends from all parties, that I proposed to create a vacancy in the office I held. Consultation was had with the leading men, as opportunity presented, and I understood the arrangement to be approved.— at least I knew of no serious objections.

“ Having no representative of the State movement at Washington, and not knowing that anyone would volunteer, I decided to go there several weeks before the Legislature was to assemble. I consulted with Lieut.-Gov. Roberts and told him of my purpose to leave Kansas, provided he would attend to State matters in my absence. This he cheerfully consented to do. . . . Had I known that Gov. Roberts would not have been present at the Legislature, I most certainly should not have resigned till after its adjournment, and would not have left Kansas. Instead of abandoning the State organization, I thought I was doing all in my power to advance its prospects of success. . . .

“ I see it stated that my business East was to sell shares in Quindaro, etc. Nothing can be farther from the truth. I have not offered a share for sale, and do not want to sell a share until some of the money now received shall have been invested.”

In a speech before the Free-State Convention, March 10th, 1857, at Topeka, he gives the following explanation of his resignation :

“ Gov. Geary made many great promises; he talked well; he talked long and fast, and he still talks much. I asked him if he thought there was any way in which the Topeka Constitution could get into the Union? He seemed to think it might by a resubmission to the people, or at furthest in addition to this, a new election of the State officers. . . . It is well known that all manner of charges had been heaped upon me by our enemies, such as those of being an abolitionist, a disunionist, and many others, which caused me to be looked upon with a great deal of hatred by the Democratic party. In fact, I may say that I was probably more unpopular with that party than any other man in the country. On this account I thought there would be less of a barrier in the way of this if I were not at the head of

the State government. This was the great reason for offering to resign the office I then held."

Continuing, and referring to his trip to Washington, he says: ". . . I will admit, if you choose, that I have accomplished nothing. But I earnestly tried to accomplish something, and I have failed,—not because of any unwillingness on my part. I believed that my course was the best one that could be taken."

Robinson makes a further explanation in an address before the Historical Society, January, 1881:

"Gov. Geary was satisfied the Free-State men were largely in the majority, and was desirous that the majority should rule. That an end might be put to this conflict, he sent to the Governor under the Topeka Constitution (Robinson), and desired an interview at his office. The interview was held in the attic of the log cabin now standing with the stone addition on the bank of the river, near the Atchison, Topeka & Santa Fe station at Lecompton. At that interview Gov. Geary was ready to favor an admission under the Topeka Constitution, and was willing to use his influence with the President and his party in Congress. It was thought, if there could be a vacancy in the position of Governor, that he or some other Democrat might be elected to fill it, and the Administration would more readily indorse it. Accordingly, the Topeka Governor resigned, and went to Washington for the purpose of procuring admission into the Union. He soon found that the Democratic party at Washington had no sympathy for any such movement, or for Gov. Geary."

The second session of the Territorial Legislature met at Lecompton, January 12th, 1857. Geary's message promised "equal and exact justice to all men of whatever political or religious persuasion." He said that the people "then ruled in everything. "I have every confidence in the sound judgment and sober thought of the toiling millions." It is quite remarkable that in this message he also advocated the building of a railroad to the Gulf of

Mexico, which showed his wisdom in recognizing the future need of this country.

It will be remembered that this Legislature was Proslavery, as the Free-State men had taken no part in the election of the members, and therefore many bills which Geary vetoed passed over his head by a two-thirds vote, according to a previous arrangement. Governor Geary's idea of securing equal justice for all parties had comparatively little sympathy from those in power in the Legislature. Their motto was that there should be no compromise with any person or organization that tried to make Kansas a free State. Not only was sympathy wanting on the part of the Proslavery element for the Chief Executive of the Territory, but this same element made threats upon his life. Governor Geary being convinced that a plot had been formed for his assassination, appealed to General Persifer F. Smith, at Fort Leavenworth, for troops to protect him. General Smith insisted in reply, that "insults or probable breaches of peace do not authorize the employment of troops." This letter, General Smith seems to have taken great satisfaction in reporting soon after to Jefferson Davis, Secretary of War. The point to be observed is, that the National Government was soon out of sympathy with Geary, and opposed to him.

At this juncture the first step in the framing of the Lecompton Constitution was taken. The Territorial Legislature provided for the election of members of a convention to meet and frame a State constitution for the purpose of securing the admission of Kansas into the Union. It made special provision for taking a census of the voters before April 10, and further provided that the judge to whom the

returns were made could correct and add to the list from that time to May 1, when it was to be sent to the Governor. It was the duty of the Governor to apportion among the precincts sixty delegates to the convention prior to the election, which was to be held on June 15th. After the delegates were elected they were to assemble on the first Monday in September, at Lecompton, for the purpose of making a constitution. This seemed like very fair work, but the whole registry of voters was placed entirely in the hands of the Proslavery officers. Owing to the fact that the Legislature made no provision to submit the Constitution when framed to a vote of the people for rejection or ratification, the bill was vetoed by the Governor, but was passed over the Governor's veto. Governor Geary, having done what he could in favor of justice to all parties, and finding his services unappreciated by the Proslavery party, and indeed by many of the Free-State people, being insulted by the former and his life threatened and in danger, sent his resignation to President Buchanan, to take effect March 20th, 1857. The Free-State men were still active. They held a convention at Topeka on March 10, 1857, and passed a set of resolutions repudiating the bogus Legislature, and declining to vote at the coming election for members of the constitutional convention.¹ The grounds for this repudiation are based, first, on the fact that the order for the election came from the bogus Legislature, which was illegally elected and which they had repudiated. In the second place, they held that the "organic act does not authorize the Territorial Legislature, even when legitimately convened, to pass an en-

¹ Wilder's Annals, pp. 157-8. Cordley : Lawrence, p. 147.

directed my efforts, and it was that all objection to the State organization, from any source, might be removed, as well as to be able to work more efficiently and disinterestedly in securing friends from all parties, that I proposed to create a vacancy in the office I held. Consultation was had with the leading men, as opportunity presented, and I understood the arrangement to be approved,— at least I knew of no serious objections.

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In the mean time, Robinson returned from the East and withdrew his resignation as Governor of Kansas under the Topeka Constitution. Geary was replaced by Walker as Territorial Governor, and Daniel Woodson, who had been Secretary of the Territory, was removed and Fred. P. Stanton appointed in his place. There was considerable discussion as to whether Free-State men should act in accordance with the resolutions of the Topeka Convention and stay away from the polls. Stanton, acting Governor, issued an address to the people, asking that this constitutional convention submit the slavery question "to a fair vote of all the actual *bona fide* residents of the Territory, with every possible security against fraud and violence," and he also suggested amnesty to all persons who had been engaged in the struggle; and he subsequently went to Lawrence and stated that "If any man here is prepared to say that he will resist these laws, with that man I declare war! — war to the knife and the knife to the hilt." If Stanton had any desire to pacify the people of Kansas, he destroyed all his influence with that single statement, for his speech created great excitement and aroused anew the defiance of the Free-State men. They wrote to Secretary Stanton that they would take

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DR. ROBINSON, 1857.

part in the election of the delegates to the Lecompton convention if one Proslavery man and one Free-State man should attend to the registry in each district, and if, of the four judges of the elections, two should be Proslavery and two Free-State men. Secretary Stanton replied that he must follow the law.

On June 15th, when the election of delegates to the Lecompton Constitutional Convention occurred, only 2,071 votes were polled out of a total of 9,251. This was evidence that the Convention was unpopular, and that the Free-State men were rapidly growing in number. It was clear that if a vote could be obtained, the whole question would be settled in favor of the Free-State people.

In the mean time Governor Robinson had again taken up active work. He headed a list of signers to a call for a meeting of the Free-State Legislature, to be held June 9th, 1857. Over sixty persons, among the most prominent of the Free-State men, signed this call.¹

In pursuance to the call, the Free-State Legislature met at Topeka. There being no quorum, one was made by declaring the seats of the absent thirteen members vacant. This reduced the entire number to twenty-five. The message of the Governor at this juncture is worthy of note. He outlines the policy of the Free-State people in the past and future. He says:

"I have not . . . abandoned our organization. On the contrary, I believe it is our only hope. When we framed the Constitution, something of the kind was necessary to keep together our party, and as a basis of securing our rights; . . . and as the same reasons which induced us to take our position in the beginning re-

¹ The indictments for treason against Robinson, Deltzler and others were disposed of on May 11th, 1857, the prosecuting officer entering a *nolle prosequi*. Wilder, p. 166.

main, and the same circumstances still exist, why should we not maintain our position?

"Now the Proslavery party is about getting up a constitution also. . . . If ours is allowed to die, all will then be lost. . . . If we neglect to elect a State Legislature next August, our Constitution will eventually die, for all the offices under it will become vacant, and there would be no means of again filling them. . . . The first one organized, if kept up, will be the one admitted; nothing on earth can prevent it. . . . All that is necessary for us to do is to keep aloof from the doings of the bogus Legislature and keep up our own."

Secretary Stanton arrived in Lawrence one month in advance of Governor Walker, and it was on April 24th that he made the address in which he used the vigorous language heretofore referred to. On the evening of this address, Stanton and his companion, Mr. McLean, and Horace White of the Chicago Tribune, were entertained at tea by Governor Robinson, where free discussions of the condition of Kansas occurred. Governor Robinson and Mr. McLean carried on the conversation. Mr. McLean argued for the determination of the question by evidence at the polls that the Free-State party was in the majority in Kansas. Governor Robinson pressed him to distinguish the members of the Free-State party, and also to define what he meant by National Democracy of Kansas; while Mr. McLean urged that the Free-State men should come forward to the polls and vote, but this they refused to do. Governor Robinson maintained that the Free-State men of Kansas never recognized the Territorial Legislature, as some people called it. That the Free-State men did not vote, because to do so would be a repetition of the old farce, everything being in the hands of the opposing

party. The following quotation from the conclusion of the discussion is from the *Chicago Tribune*:

"ROBINSON — The action of the Topeka Convention was predicated on certain facts which have been well known to the 'National Democracy' from the beginning. Firstly, the Free-State men of Kansas have never recognized the 'Territorial Legislature,' as some people call it. Whoever else may recognize it or fail to recognize it, the Free-State men deny its legal existence. They claim that it is not even a government *de facto*. They do not appeal to its laws or have dealings with its officers. No one pretends to execute these laws, and they exist merely for the benefit of the public printer. Consequently, the Free-State men see nothing in the proposed election but the old farce with new decorations and scenery. No law requires them to vote. They will not interfere with your voting. They have no objection to your doing all the voting. In this way you will secure unanimity, and I see no reason why the plan should give the 'National Democracy' a moment's uneasiness. Secondly, the law providing for this election takes all power out of the hands of the people, after the delegates are elected. It thrusts the Constitution into Congress as the work of the people, without giving the people an opportunity to pronounce upon that work. These delegates may frame a constitution infringing the liberty of speech and the press. They may decree test oaths as a qualification for voting. They may make murder a bailable offense. They may infringe the right of the people to assemble together in a peaceable manner to consult for their common good. They may establish negro slavery, or any other kind of slavery, as a permanent institution of Kansas. They may take away the right of amending this Constitution from the latest posterity. We have had specimens of all these things in Kansas legislation, and we have no business to infer that the creatures of any legislative body will be better than the Legislature itself. The Free-State men regard it as indispensable that the work of the Constitutional Convention be submitted for the approval or disapproval of those whose welfare it affects. Thirdly, the Free-State men consider that the whole machinery of this election is thrown into the hands of their bitter enemies, and that no safeguards are interposed for their protection, either in the vote itself or the subsequent counting of votes. I need not enumerate for this company the provisions of that law in this regard. The experience of the Free-State men on

former occasions has not been such as to impress them favorably with the elective franchise as operated by the bogus Legislature. Men who have lived two years in Kansas understand that the Free-State party have no rights on election day which Missourians are bound to respect, and none which the United States Government takes the trouble to 'recognize.' The provision of your law concerning the registration of votes does not prevent the registration of all the unemployed residents of western Missouri, nor does it require that the actual residents of Kansas shall be registered. Your registry being perfected, the result of the election is ascertained before the voting commences. After the voting is finished, we have no guarantee that the returns will correspond either with the ballots deposited or the printed list of qualified voters. I am free to confess that I doubt the integrity of three-fourths of the officers who will conduct this election. We are solicited, in the face of a two-years experience, which requires no comment from me, to confide everything we hold dear as American citizens to the keeping of our worst enemies, and go away trusting to their honor, presuming that they have sufficient virtue to register none but actual citizens of Kansas, to register all the citizens of Kansas, to receive the votes of all the citizens who choose to vote, to make the returns according to the votes, even in case such returns ruin the business which has afforded them occupation for two years. The Free-State men of Kansas are not such idiots. The evidence is overwhelming that this election was not intended to ascertain the relative strength of parties in Kansas, but to entrap our party, defraud them of all their rights, and make a slave State of Kansas. So much for the Topeka Convention. How have subsequent events shown the propriety of their action? Here are two thousand Missourians registered as voters in Douglas county — men whom no citizen of Kansas ever heard of except as he met them on some foraging excursion. We look over this list for the names of the oldest citizens of Lawrence, and they are not to be found. In Quindaro, where I live, public opinion is divided on the question whether the census-taker has been there or not. Two or three men pretend to have seen him. I haven't, and I doubt whether he has been there at all. If he has ever visited that place, it was not for the purpose of completing the registry of Wyandotte county. The list was published some weeks ago, and our town left entirely out of the reckoning. Some of the neglected ones in the town of Wyandotte have sent

their names to the proper officer, with evidence of their citizenship, and he has either refused or neglected to place them on the list.

"At Osawatomie, I am informed, three-fourths of the list is made up of citizens of the adjoining county in Missouri. At a place thirty or forty miles southwest of here the citizens do not know, except by hearsay, that there is to be any election. They have never known, from the beginning, whether they were enjoying the blessing of a sheriff and county judge or not. They don't know whether they have a census-taker among them or not, and I should judge they didn't care. These are specimens of our Territorial job-work. To my mind they demonstrate that the action of the Topeka Convention was entirely proper, and if that convention were to be held over again, my part in it would be simply a repetition of my part in the other.

"STANTON — But you have an ample remedy for all this alleged fraud, in the law creating these officers. Bring me one man who has taken the proper steps to have his name registered and been refused, and then see what becomes of the officer. Establish that the list of Douglas county contains the name of one resident of Missouri, and see how rapidly that list is expurgated of the falsehood. The trouble is, you Free-State men are not willing to take any steps looking to the correction of the evils you complain of. The Executive of this Territory is here for the purpose of administering impartial justice, and when you have been denied redress in that quarter, I will acknowledge for one that there is something radically wrong in the government of Kansas.

"ROBINSON — Having determined to take no part in the election, we are naturally not solicitous about the purity of the voting-lists, or of the voters themselves; but you now offer us a practical impossibility. In the first place, the citizens of Quindaro, Lawrence and Osawatomie are men of business. Their time is valuable to them and indispensable to their families. They cannot leave their business and go hunting a sheriff or census-taker, particularly if he spends most of his time in another State. The gentleman with the census roll was appointed to visit them, not they the officer. I have no time to waste in that way, and I presume my neighbors will say the same thing.

"The other proposition, that we show the lists to be fraudulent in respect of the names of Missourians, is an utter impossibility. It is an attempt to establish a negative. Mr. Jones Jenkins may be a resident of Westport, Missouri. I may know it, and a dozen others may know the same thing. We may establish that Mr. Jones Jenkins

does live in Westport, Missouri. We then visit twenty of the oldest residents of Douglas county, and inquire whether Mr. Jenkins has ever resided there. They have never heard of any such man in that vicinity. Here we have established that one person bearing this name lives in Missouri, and have shown that twenty citizens of Douglas county never heard of him in Kansas. Is this legal demonstration? We have not shown that some man bearing this name positively does not live somewhere in the county. We have not shown that he may not have lived here, and gone East for his family. We have not and never can show that he was not here on the day prescribed by the law, and that he did not answer every requirement of that law. When we multiply this case by two thousand, we appreciate somewhat the nature of the job we have undertaken.

"STANTON — I think, Doctor, you magnify all the difficulties which stand in the way of a fair election. Concerning the submission of the Constitution to a subsequent vote of the people, I would say that it is proposed to make a provision of this sort, and, so far as my influence extends, it shall be exerted to bring about a full expression of the popular will on the subject of the domestic institutions of the Territory, after the work of the convention is complete.

"ROBINSON — We do not doubt your good intentions, Governor, in this, as in other matters; but we very gravely doubt the extent of your power. Several governors of Kansas have been greatly surprised to find how short a distance their influence extends. I believe that the right of calling out the militia has been placed in the hands of county sheriffs. You will doubtless regard this a very great infringement on the privileges of the Executive.

"STANTON — Oh, you must be mistaken. No Legislature, no sheriff, will undertake to call out the militia while I hold the office of Governor. Ridiculous!

"MCLEAN — But they will when the occasion comes. It was found necessary on the part of the Legislature to reserve this right.

"STANTON — Reserve! No such right ever belonged to any Legislature under the sun. Nonsense!

"MCLEAN — Nonsense or not, we have the right of calling out militia, and intend to exercise it whenever we find it necessary; that's all!

"STANTON — Oh, you are altogether mistaken, etc.

"I need not follow this pleasant little expression of views any further. Our party adjourned to the Cincinnati House and listened

to Mr. Stanton's speech. I have already made this letter longer than I had intended. The conversation above reported is eminently suggestive, and I think speaks for itself. If it should meet the eyes of any of the participants, they will recognize its correctness in all essential particulars; and if I set down aught in malice, I trust the *Tribune* will be open for the amplest correction to the injured party. Messrs. Stanton and McLean having expressed their views publicly and without reserve in the streets of Lawrence, both before and after this dialogue, it will not be deemed any breach of confidence that some portion of those views should take on the illumination of the types."¹

It was the morning after this address of Stanton's that the citizens of Lawrence requested fair treatment, and were refused by Stanton because he would have to follow the law. Subsequently Governor Walker issued a lengthy address to the people. It was the old story of pledging his support to the Territorial laws. He also insisted that the Lecompton Constitution should be framed and submitted to the people for adoption or rejection. But the struggle could never be settled in this way, because the Free-State men would not recognize the Territorial Legislature and the Territorial laws, and therefore could not vote at the elections proposed by this government.

The "bogus Legislature" which met in 1855 had passed an act incorporating the town of Lawrence, giving it the same charter rights as were granted to the town of Leavenworth.² As the people of Lawrence were ignoring the laws of the "bogus Legislature," they would not incorporate the town under this charter. Again, the second Legislature, which was Proslavery and deemed illegal, granted the town a second charter.³ The Free-State town of Lawrence failed to organize under this charter also, for the

¹ *Kansas Conflict*, p. 346.

² *Laws of Kansas Territory*, 1855, p. 822.

³ *Laws of Kansas Territory*, 1857, p. 343.

same reason as stated before. The citizens of Lawrence were ready to obey the national laws, but they recognized no Territorial laws as binding when brought into existence as the result of systematic fraud. But, as the town grew rapidly, it was in great need of municipal organization. The citizens, therefore, in accordance with the rights of freemen, met and created a charter, and subsequently effected an organization on July 13th, 1857.¹ The committee who presented the charter also addressed a letter to the people, explaining the cause for their action. They set forth the necessity of law, order, sanitation, police organization, protection from fire, etc., and asserted that "all the varied necessities of a rapidly growing city demand a municipal government." They stated that "The only point of embarrassment in this movement arises from the unhappy condition of political affairs in our Territory. Under ordinary conditions the more regular method would be to obtain a charter from the Territorial authorities. As the Territorial Government, however, in no sense represents the people of Kansas, was not elected by them, and can have no right to legislate for them, we cannot accept of a charter from it. There is, therefore, left us only the alternative of a charter springing directly from the people or continuance in our present unorganized condition."²

Here was a town which had ignored two charters granted to it by the Territorial Legislature, because it maintained that the law-making power which had granted these charters was not legally constituted. "If in the final settlement of affairs it should be determined that the Territorial

¹ Private Laws of Kansas Territory, 1868, p. 187. Blackmar: Annals of a Historic Town, Amer. Hist. Assn. Reports, 1893, p. 496

² Andreas, p. 326.

laws were legitimate and authoritative, the citizens of Lawrence would have been found outside of the law. As it was, they were in a state of rebellion against the assumed authorities. Such is the close relation of successful revolution to treason, of anarchy to a free democracy.”¹ On July 15th, 1857, Governor Walker issued a long proclamation, in which he greatly magnified the offense of the town of Lawrence, declaring the act of organization, if carried out, treasonable, assuring them that they were on the brink of an awful precipice, and solemnly announcing that “It becomes my duty to warn you before you take the fatal leap into the gulf beyond.” As the citizens of Lawrence had not heeded his previous admonitions, he resolved to call out the military, and therefore sent Col. Cooke with four hundred dragoons to enforce the law. Walker himself also appeared to superintend the work of suppressing the “rebellion.” He placed the town under military rule, and subjected the surrounding country to military inspection. The offending town did not place itself in opposition to this military rule, but the people went about attending to their various duties, looking after the conditions of the town and performing the functions of a municipal government. After a few weeks the farce ended by the withdrawal of the troops.

But the people of Lawrence still retained their independent spirit, and took opportunity to show their opposition to the Territorial Government. As an example of this, on June 1st, 1857, there was a meeting at Lawrence for the purpose of considering the payment of taxes levied by the “bogus Legislature.” A resolution was adopted

¹ Blackmar : *Annals of a Historic Town*, p. 488.

"that . . . no good citizen will in any manner furnish aid or comfort to an assessor or collector of taxes, or render to him a list of value of his property." Governor Robinson was appointed on a committee of five to present this resolution to any collector that might appear.

Prior to this, Governor Walker, in his address of May 7th, 1857, had made the following statements concerning the election of delegates to the Lecompton Convention, at which time, it will be remembered, the Free-State men refused to vote, because they were not granted a fair representation among the officers of election. Governor Walker stated that all the people of Kansas were entitled to take part in this election, and added that "I see in this act, calling the convention, no improper or unconstitutional restriction upon the right of suffrage;" and "If by fraud or violence a majority shall not be permitted to vote, there is a remedy . . . in the refusal of Congress to admit the State into the Union under such a constitution." He also said that the Constitution once framed would have to be submitted to the people for a vote, and, in the words of President Buchanan, who had given instructions to Governor Walker, that the people "must be protected in the exercise of their right to vote for or against that instrument." Walker was thus urging the people to vote, but his address was answered by the Topeka Convention on June 9th, 1857, which resolved to hold firmly to the Topeka Constitution, to repudiate the "bogus Legislature," and to refrain from voting for delegates to the Lecompton Convention. He was further answered by Governor Robinson's message to the Topeka Legislature June 9th, 1857, which was given up wholly to a state-

ment of the Free-State position and the use of Governor Walker's own arguments to justify that position.¹

Another Free-State convention was held at Topeka, July 15-16, 1857, which again repudiated the Territorial Legislature and its laws. James H. Lane was president of this convention, which resolved to hold firmly to the Topeka Constitution, and to call another convention, to meet in August at Grasshopper Falls. In the mean time, a vote for officers under the Topeka Constitution showed that the Free-State men had 7,200 votes in the Territory, and it was well known that this was enough to give them a large majority over all the combined Proslavery votes that could be mustered against them. The Free-State people were now in a different position from that in which they had been before. Could an honest vote now be had on a constitution, everything would go in their favor. The trial of Governor Robinson for usurpation of office, which began August 18th, closed on the 20th. The jury reported that "since there was no State of Kansas there could be no Governor of the State and no usurpation of the office." This acquittal of the Governor of course allowed him more freedom of action.

On August 24th a convention of Free-State men was held at General Spicer's, half-way between Leocompton and Lawrence. It was called under the auspices of G. W. Brown, and was equally attended by Proslavery men from Leocompton and radical Free-State men from Lawrence. It was called the "Conservative Free-State Convention," and the whole meeting was turned into ridicule by these two parties, who alternately elected each other to positions

¹ See Appendix B.

in the convention and then declined. Geo. W. Deitzler, John Speer and others were among the radical men from Lawrence. It showed the folly of attempting to mingle Proslavery and Free-State men in conventions. Plainly, one party or the other must dominate in Kansas. This ended the attempt to make a "conservative Free-State" party.

The convention at Grasshopper Falls, which met on August 26th, after a lengthy discussion determined to take part in the election of the new Territorial Legislature. There was, however, a serious division in the ranks of the Free-State men in regard to voting. It was held by many that, having repudiated the "bogus Legislature," and having held to the Topeka Constitution, it would be inconsistent to recognize the Territorial Legislature now by voting for its members. But the times had entirely changed. The Free-State men had demonstrated that they had a majority. Governor Walker had declared that they should have a fair election, and his intentions were evidently honest. Robinson, Lane and others saw the opportunity, and strongly urged that they should go to the polls and vote, knowing well that if a fair vote were had they could outvote the Proslavery men. "Some," said Robinson, "had faith in the Governor's pledges, and some would not degrade themselves by recognizing the fraud, while still others were opposed to seeing the abandonment of the Topeka Constitution. This instrument, which had been resorted to as a means to an end to obtain the legislative power of the Territory, they regarded as the end to be attained." Robinson favored voting, although to do so

would appear to be a practical denial of the former Free-State position on the "bogus Legislature." However, in politics as in war, there is always a time to cease holding to a point in order to gain a victory. On this occasion Robinson said: "Men who are too conscientious and too honorable to change their tactics with a change of circumstances, are too conscientious for politics."¹

In his speech on the resolutions which declared in favor of voting, Robinson said:

"We started out on the Topeka Constitution, and I shall work under it; but here is a battery all the time at Lecompton playing upon us. Let us take the battery and use it for our own benefit, without defining the use we shall put it to, and thus avoid side issues in every county in the Territory. If we get the battery and spike it so it cannot be used against us, we shall have accomplished a purpose. I do not feel that there will be any backing down in doing so. I am more hopeful than some, and not quite so hopeful as others; but I have no doubt we shall be triumphant. From the census returns I am satisfied there is not a district in the Territory in which we have not a large majority of voters. If we are defeated by fraud, we shall be in a position to show up the fraud. It has been said that I was always opposed to this movement. Such is not the case. I have always been in favor of voting, with the least show of success in our favor."

The election was held, and Walker threw out the fraudulent returns and issued certificates of election to the Free-State men for nine out of thirteen members of the Council and twenty-four out of thirty-five members of the House of Representatives. Robinson says of this act of Walker's in throwing out fraudulent returns: "This act, with Stanton's proclamation calling the Legislature together, will stand out in bold relief as the crowning acts of their ad-

¹ Spring: Kansas, p. 217.

ministrations; and these acts the future historian to the latest time will never fail to record."

The Legislature having passed into the hands of the Free-State party, there was but one opportunity left for the Proslavery people to establish their system, namely, to induce Congress to recognize their constitution. The Constitutional Convention met at Lecompton on September 7th, organized, and adjourned to October 19th. It then drew up a constitution, framed with the purpose of favoring slavery in the State. It asserted that "The right of property is before and higher than any constitutional sanction, and the right of the slave-owner to such slaves and their increase the same as the right of any property whatever."¹ This Constitution was sent to Congress without submitting it to a vote of the people of the Territory.

The Free-State men began to look with alarm upon the movement, fearing that Congress would adopt this Constitution and force slavery upon the State. Accordingly, they resorted to the usual Kansas method of holding a convention, which met at Lawrence December 2d, to provide the most effective means of preventing the adoption of this Constitution by Congress. All of the important leaders of the Free-State movement were present and addressed the convention. Charles Robinson presided. The secretaries were William A. Phillips, A. Wattles, and E. G. Macy. The committee on resolutions was J. H. Lane, C. Vaughan, William V. Barr, J. Rymal, Charles F. Kob, H. Evans, S. Westover, Charles A. Foster, T. Dwight Thacher, G. W. Gilmore, C. K. Holliday, J. K. Goodin, P. B. Plumb, I. F. Carver, and G. A. Cutler.

¹ Article VII, section 1.

The resolutions repudiated the Lecompton Constitution. On the motion of Judge Schuyler, they took a solemn oath with uplifted hands, and "appealed to the God of justice and equity, and entered into a league and covenanted with each other that we never, under any circumstances, permit the said Constitution, so framed and not submitted, to be the organic law of the State of Kansas; and do pledge our lives, our fortunes, and honor, to ceaseless hostility to the same." They denounced the proposed elections December 1st and January 4th, and asked the extra session of the Legislature to submit the Topeka and Lecompton Constitutions to a vote of the people, with the understanding that the constitution which received a majority of the legal votes of the State should become the law of the land.

The next session of the Territorial Legislature, meeting December 7th, passed a bill providing for a vote on the Lecompton Constitution, to occur January 4th, the same day for the election of officers under that constitution. The Proslavery people adopted the same tactics as had been adopted by the Free-State men, and refused to vote on the subject, while over ten thousand votes were recorded against the Constitution. But, while no opposition vote was recorded, it had little effect on Congress. At Washington the President was urging the adoption of the Lecompton Constitution, and the Senate passed a bill to that effect; but the House failed to concur. Finally, a compromise measure called the English bill passed both houses, which submitted the Constitution to the will of the people of the State of Kansas. In accordance with the provisions of this bill, a vote was taken for or against the Constitution on August 2d, 1858. The result was declared to be

1,788 votes for the Constitution and 11,300 against it, leaving it defeated by a majority of 9,512.

During all this time Dr. Robinson thoroughly understood the political situation in Kansas, and was particularly well versed in the relation of the Federal to Territorial politics. He understood how necessary a conservative policy was to the success of the Free-State cause in Kansas, and what harm would be wrought by a radical opposition of this party to the Federal Government, which was in sympathy with the Proslavery element in the Territory. His letter to Hon. Henry Wilson, later Vice-President of the United States, is a careful exposition of the political situation, and furnishes so vividly a record of the times of 1858, when matters were shaping themselves for the final victory of 1861, that it is given in part:

LAWRENCE, May 12th, 1858.

MY DEAR SIR: Your favor of the 4th instant is received. You need have no fear of the adoption of Lecompton by the people of Kansas. The vote against it will probably be much larger than on the 4th of January last. All the Free-State men will vote against it, and one-half the Democrats. From letters I am receiving from the East, as well as from newspapers, I see that our Republican friends are unnecessarily alarmed. They evidently do not understand the program of the Democratic party. Either I am very much mistaken, or that party is as desirous of seeing Lecompton voted down as the Republicans, although, of course, they will not say so authoritatively. Why is this? you will ask.

In the first place, they know that if Lecompton should go into the Union, the radical Republicans would go into the Senate. This could not be prevented unless the Free-State party made a fatal blunder. Also, the State Government and members of Congress would be Republican, and the Constitution would be changed in the "twinkling of an eye." Of this state of facts the administration became aware, and this, in my judgment, is the real reason why the Senate bill did not pass the House. Who believes now that English

and Company could not have been induced to vote for the Senate bill had the proper arguments been used with them? Who believes that the South would have allowed us a vote on Lecompton had they believed slavery would have gained anything by a refusal? Remember, the English bill passed by Southern votes, chiefly. Did they suppose that we would do anything else than vote the ordinance down? No! They might possibly hope to induce a few to change their votes, had they desired to do so, but no man could be so infatuated as to suppose that a majority of ten thousand could be changed right-about-face in the short space of six months; for the English ordinance is really no more and no less than Lecompton, except that it has less land than when we defeated it in January.

What then is the plan? As I have obtained it from no man or men, but simply from observation, I betray no confidence in revealing it. We are to remain a Territory till the new Congress meets, in December, 1859, if no longer. In the mean time the administration of the government in Kansas will be eminently just and fair. All disturbances will be quelled at once, and Free-State men will be as promptly protected in their persons, property and rights as the Proslavery men. The Democratic party will take the lead in aiding in developing the resources of Kansas, and will claim to be the special friend of an infant State. All the old Democrats will be induced to return to the fold, and as many new converts made as possible. In this way it is hoped that Kansas will come into the Union with a Democratic State Government, Senators, etc.

What are their chances of success, and upon what do they build their hopes? It is believed that a majority of the people of Kansas would have been Democrats to-day had it not been for the war of the administration upon Free-State men, and a very large number of the Free-State party who have been Democrats would now act with that party were it what it was when they came to Kansas, or when the Kansas-Nebraska Bill was passed. Many of these men would remain in the Free-State party or join the Republican party were they fellowshipped fully by the organs and letter-writers of that party; but they are given the cold shoulder or are positively assailed in the leading Republican journals of the country without cause, and they will naturally become alienated as soon as they can find their old party conducting its affairs honorably in Kansas. Another class of our people, who were Whigs or Republicans in '56, make antislavery everywhere, except in Territories, a secondary

consideration, and are disposed to look after the material interests of the State of their adoption. They also are suspected and given the cold shoulder by the more zealous antislavery members of the party, and assailed through Republican journals. Still another class, who are strong antislavery men, and who feel that it is important to develop the resources of Kansas, build her roads and plant her literary and other institutions as well as make her a free State, and who favor a conciliatory course towards members of the party, are suspected by the censors of the party, and all sorts of falsehoods, suspicions and insinuations are sent to the four winds by means of these journals.

The Democratic party here are evidently hoping that the above elements will be driven from the Republican party, and either join the Democratic direct, or a middle party with which the Democrats will unite and carry the elections. The Democrats see that the Free-State party has an element that will destroy it as soon as permanent peace is established. It is an element that would destroy any party in any State if allowed full scope. It is well known that a large number of our leading Republican journals of the country support correspondents in Kansas who as a general thing have but little if any interest in the material welfare of Kansas, but who are zealous reformers, and many of them excellent men. From correspondents the tendency is for them to become mere partisans, and if partisans aspirants, and if aspirants apt to imagine everybody wrong who does not think with and support them. These imaginations are apt to get into their correspondence as truths, and when they come back to Kansas in some leading journal, all who may differ from these aspiring correspondents consider themselves wronged, their position wrongly stated or not stated at all, their reasons perverted or omitted entirely, and the result is apt to be heartburnings and jealousies and a coldness towards a party whose organs are used to misrepresent, prevent, and perhaps belie the history of the State. On this element I have reason to believe the Democrats place great reliance. If these correspondents acted the part of impartial and disinterested historians, or confined their one-sided strictures to the opponents of the Free-State party, they might be of service and not destructive to the party; but when the Republican party of the country support a class of partisans, office-seekers, etc., who traduce or praise by the column whatever or whoever they may deem for their interest, it will naturally alienate from that party all office-

seekers,— and nearly all are aspiring in new countries,— who have to support themselves by the labor of their hands, and contend against the Republican journals of the country. . . .

While the Lecompton Constitution was pending in Congress, the radical elements of the Free-State party desired to have a new constitution. There was little hope that the Topeka Constitution would be acknowledged by Congress, and hence become the supreme law of Kansas when the Territory became a State. The Territorial Legislature, which it will be remembered had a majority in favor of the Free-State cause, voted to hold a constitutional convention for the purpose of creating a new constitution, radically opposed to the Lecompton Constitution. A bill for this purpose was introduced January 12th, 1858, by John Speer. For two years the people had perseveringly adhered to the Topeka Constitution. Governor Denver was opposed to any more constitutional conventions, as he stated there were constitutions enough already, and he took care that the bill should die, although he avoided a formal veto of it. He asserted that the bill arrived at his office within three days of the final adjournment of the Legislature. According to the law, all such bills would die if not signed, or vetoed and returned to the Legislature with the objections of the Governor. If the Governor vetoed it, there was a possibility of its being passed over his head by a two-thirds vote in its favor; but this the Governor took care should not be done. Being opposed to the Constitutional Convention, he took this way of preventing it by "killing" the bill which provided for it.

The Legislature, however, maintained that the bill was in the Governor's hands in ample time to become a law if

he failed to veto it. The Legislature therefore passed a resolution introduced by John Speer, declaring that the bill had passed, and that it was in the hands of the Governor three days prior to the final adjournment of the Legislature. Therefore a constitutional convention was called. On March 9th an election of delegates to this convention was held, and the convention met on March 2, at Minneola. This convention had many able men among its members, though its composition was different from the body of men who had been struggling for the Topeka Constitution. The convention early fell into disrepute, because there was in connection with it a land scheme which was generally supposed to be a swindle. Minneola was an open prairie in Franklin county, consisting only of the name without the town. Of the fifty-two members of this convention, thirty-five were interested in the land scheme. So great was the prejudice against this body that they were obliged to leave their hastily erected convention hall, which was to be the capitol of the State, and go to Leavenworth to complete their work. The motion prevailed at one time to adjourn from Minneola to Topeka, but this idea was abandoned, and the convention adjourned to meet at Leavenworth; hence this convention is always known as the Leavenworth Convention. The constitution that it drew up was a well-written document, perhaps stronger than any that had yet been made. In some respects it was an improvement on the Topeka Constitution. Its real purpose appeared to be to place the radicalism of the Free-State party against the radicalism of the Lecompton Constitution. The action of this convention had much to do in precipitating the struggle against the Lecompton Constitution

before the Congress of the United States. The most striking peculiarity in this new Constitution was the liberal clause in regard to suffrage. Section 1, article 2, says:

"In all elections not otherwise provided for by this Constitution, every male citizen of the United States of the age of twenty-one years or upward, and who shall have resided in the State six months next preceding such election, and ten days in the precinct in which he may offer to vote, and every male person of foreign birth of the age of twenty-one years or upward, who shall have resided in the United States one year, in this State six months, and in the precinct in which he may offer to vote ten days next preceding such election, and who shall have declared his intention to become a citizen of the United States conformably to the laws of the United States ten days preceding such election, shall be deemed a qualified elector."

The word "white," which preceded "male" in the Topeka Constitution, was omitted in the Leavenworth Constitution, and this fact in itself aroused great opposition to the instrument, all the Proslavery forces being antagonistic to this innovation.

April 28-29, 1858, a Free-State Convention was held at Topeka to nominate officers under the Leavenworth Constitution. The result was that Henry J. Adams was nominated for Governor, Cyrus K. Holliday for Lieutenant-Governor, and E. P. Bancroft of Emporia for Secretary of State. After completing the work of nominating candidates, the convention adopted a platform which accepted the Leavenworth Constitution, and pledged themselves to favor its adoption and ratification by the people. They also adopted measures in reference to the Leecompton Constitution, which was the great bugbear of the Free-State people at this time. On May 18th the Leavenworth Constitution was submitted to the people for ratification. Only about 4,000 votes were cast, and about one-fourth of

them were in the negative. Perhaps the stigma placed on this constitution by its origin had much to do with its defeat, for in many respects it was an excellent instrument. Thus failed the third constitution proposed for the organization of Kansas.

A more elaborate discussion of the events connected with the history of the Leavenworth Constitution, though it would be extremely interesting in many respects, would be out of place in this volume, because Governor Robinson, the subject primarily under discussion, was not in any way connected with the Leavenworth Constitution. It is sufficient to say that the making of this constitution is one part of the Free-State movement with which he appears not to have been connected; and the fact that it was an ignominious failure is of some significance, although it is not intended to insist that failure attended every movement in the State with which Governor Robinson was not connected. While the Governor was ready, however, to work with any united party to forward the interests of the Free-State cause, it appears that the Leavenworth Constitution did not appeal strongly to him as a means of settling the questions at issue. Moreover, he was serving as nominal Governor under the Topeka Constitution, and did not care to sever his connection with this constitution without a good cause. It did not appear that the people were ready to adopt a constitution directly opposed to the Lecompton Constitution, and thus prolong the struggle. The people, too, seemed to have grown tired of constitution-making; and to this cause, among others, must be attributed the failure of the Leavenworth Constitution. Had this same constitution come up later, at the time of the adoption of

the Wyandotte Constitution, there is no reason to suppose that it would not have been adopted. But it arrived at an inopportune moment. Moreover, the Governor had vetoed the bill providing for the convention that framed it, and hence the instrument was, in the eyes of many, illegal. Finally, there was developed a land scheme in connection with the location of the capital of the State. The plan of the organizers of the new government under the Leavenworth Constitution was to make Minneola the capital. As might have been expected, in the case of an instrument having so unfortunate an origin, the Leavenworth Constitution ended in ignominious failure.

But though there was nothing in this constitution to commend it to Robinson as a leader, or to the people as voters, and it failed, yet, the leaders who favored it were determined to put it in force in opposition to the Territorial Government. These ultra radicals expected, in case the Lecompton Constitution should be adopted by Congress, to put the Leavenworth Government into operation in opposition to the Federal Government. Or, as one of the most officious said, "If the people's government is put into operation and the Federal power attempts to interfere, there will be a desperate struggle."

The advocates of the Leavenworth Constitution elected their officers and completed their organization. Beyond their they accomplished very little to forward this unpopular movement. The matter of the organization of the State of Kansas under the Leavenworth Constitution was presented to Congress on January 6, 1859, but no action was taken concerning it.

The election of members of the fourth Territorial Leg-

islature occurred October 4th, 1858, and the Legislature convened at Lecompton on January 3d, 1859. On the following day it adjourned to Lawrence, where it met on January 7th. The Legislature was now composed of a majority of Free-State men, and they proceeded to repeal a large portion of the so-called "bogus laws" of 1855. All the land laws of 1857 and the laws of 1858 were also carefully revised. The people were still determined to become a State of the Union under the Free-State banner. This Legislature, uninfluenced by the failure of the three constitutions that had already been constructed, boldly proposed a new constitutional convention. The question of holding such a convention was submitted to the people, with the result that 5,306 votes were cast for and 1,425 against the constitutional convention. The delegates to this convention were chosen June 7th, 1859.

The Constitutional Convention met at Wyandotte, on July 5th. It was composed, to a large extent, of new men. But few members of the Topeka, Lecompton and Leavenworth conventions were present. The convention started with new material and with a new purpose, and, so far as any political influences were concerned, without much reference to what other constitutional conventions had done. It had before it the experience of the other constitutional conventions, but it had to meet new conditions. There appeared, however, to be a persistency of ideas respecting the treatment of the African race, for, strange to say, this convention held to the old phrase in the Topeka Constitution, that every "*white*" male person should have the right of suffrage, instead of adopting the radical view of the Leavenworth Constitution, that every *male* citizen of the United

States should have that right. This shows that after all, the people of Kansas had not fully realized what would be the final outcome of the war against slavery, namely, the full and free admission of emancipated slaves to citizenship. The opposition to the introduction of the negro, bond or free, into the Territory of Kansas, fills the reader of Kansas history with surprise. Nor was it a passing whim or notion, or, indeed, a failure to completely organize, for the Constitutional amendment submitted in 1867 to strike out the word "white" was defeated at the polls by a large majority. It could only be accounted for from two points of view: one, that there was a great diversity of views among the Free-State men respecting the negro; and the other, that a free State could better be established by his entire exclusion.

As before stated, the election of delegates to the convention showed that there were new conditions to be considered, for out of the whole membership of the convention only seven had been members of previous constitutional conventions of Kansas that made the several defunct constitutions. But the men who assembled to make the constitution had for precedents the constitutions of other States, and had also the results of the constitution-making in Kansas. While the latter had more or less influence, the constitution was largely taken from the constitutions of Ohio, Indiana, and Iowa, the first being most used; while the Bill of Rights of the Leavenworth Constitution was used. It was thus that the many old leaders of the various political factions in Kansas were in the background during the formation of the constitution under which the State was to come into the Union.

The convention finally completed its labors and presented to the citizens of Kansas the Wyandotte Constitution, which was adopted on October 4th, 1859, by a vote of 10,421 for its adoption, there being only 5,530 against it. So far as Kansas is concerned, this completed the Constitutional Struggle, although, owing to adverse circumstances at Washington, a long time was destined to elapse before the Federal Government should recognize this action and create a State out of the new Territory. Finally, after many difficulties, the Constitution was recognized, and President Buchanan signed the bill for the admission of Kansas into the Union on January 29th, 1861.

Before leaving this subject it is well to refer to a phase of the Constitutional Struggle which relates more especially to political organization. The purpose of the Free-State organization and the Topeka Constitution have been clearly pointed out. Those who have followed the writer thus far will have observed how the service and efficiency of the Free-State party gradually declined, and how the party finally became disintegrated as new political forces arose. The rapid tendency shows that disintegration set in at the time of the Grasshopper Falls Convention, August 26th, 1857, and was immediately dependent upon the fact of a majority of Free-State men in the Territory.

Again, on December 23d and 24th, the Free-State Convention of December 2d held an adjourned meeting at Lawrence, in which the policy of voting for officers under the Leecompton Constitution was freely discussed. Governor Robinson and others supported the policy of voting. A mass convention, called to assemble at the same time and at the same place, held alternate sessions with the delegate

convention. In this convention a resolution to instruct the delegate convention to nominate State officers under the Lecompton Constitution was laid upon the table. Subsequently a group of Free-State men assembled, on the evening of the 24th, after the adjournment of the mass convention, and nominated a State ticket to be supported on the 4th of January, the time of election of officers under the Lecompton Constitution.

The next step in the downward tendency of the Free-State organization is observed in the meeting of the Free-State Legislature at Lawrence, on January 7th, 1858, where the Territorial Legislature was in session. At this time the Free-State Legislature asked the Territorial Legislature to substitute the State for the Territorial organization. As both legislatures were composed of Free-State men, it was inevitable that their forces should be united in some way. As a final result of this meeting the Topeka Legislature surrendered its claim to power to the Territorial Legislature. This was practically the death-blow of the Free-State organization. An attempt was made to revive the Free-State party in a convention held at Big Springs May 12th, 1859. George W. Smith called the convention to order, and Robert Riddle, of Jefferson county, presided. The convention did little more than report resolutions and give evidence that the Free-State party had done its work; and this convention was its last effort.

A very significant event occurred, however, which tended to reorganize the political forces on a national basis,—the organization of the Republican party, which occurred at Osawatimie, on May 18th, 1859. This convention was composed of representative men from every portion of the

Territory which had been settled. It was a difficult matter to bring the diverse elements there represented, having so many varied opinions of organizations, into a harmonious union on a national basis.

Of all those persons who were influential in the organization of this party, none were more prominent than Col. O. E. Learnard. There were two radical factions facing each other in this convention, and Col. Learnard, being practically independent of either, was chosen president of this body after it was called to order by Hon. T. Dwight Thacher. In the contest for the presidency Learnard was opposed by Phillips, the former receiving a handsome majority. The resolutions prepared by the committee, of which Thomas Ewing, jr., was chairman, gave forth no uncertain sound on the question of slavery. It asserted "That Freedom is national, and Slavery sectional, and that we are inflexibly opposed to the extension of Slavery to soil now free." Also, "That the Wyandotte Constitutional Convention be requested to incorporate in the Bill of Rights in the Constitution a provision that neither slavery nor involuntary servitude shall ever exist in Kansas, except in punishment of crime."

The resolutions set forth clearly the political condition of the Territory, and urged organization on a national basis. It was plain to be seen that henceforth in Kansas the political lines were to be more closely drawn. Not a little discussion arose on the various propositions, for, as Col. Learnard clearly states it, the Free-State party organization had done its work, and something more definite must now be established. Or, as he briefly states: "The Free-State party organization, under whose banner the con-

test had been waged and won, had but a single plank and a single purpose—freedom for Kansas. Composed as it was, of men whose former party predilections and affiliations were largely dissimilar, often antagonistic, they strove together loyally and faithfully until the victory was assured. When the purpose of that organization had been achieved and the time approached when, under a State organization, an alignment of parties on a national basis would necessarily ensue, a convention was called for the purpose of organizing the Republican party of Kansas, on May 18th, 1859, at Osawatomie; indeed, Republicanism inhered in Kansas, for it had been both its occasion and its inspiration.”¹

Perhaps the success of the resolutions, and in fact, of the whole organization, was in a measure due to the remarkable address made by Thomas Ewing. The president, Col. Learnard, had asked Mr. Ewing to address the convention, “but he replied that he could not make a speech after the address of Mark Parrott, who had spoken in the morning, and who was, perhaps, the most eloquent and versatile man we had in Kansas up to that time.” But while the deliberations of the convention were proceeding in the afternoon session, Mr. Ewing entered the hall, and the president requested him to come to the platform. To quote Col. Learnard:

“He was an imposing figure, and had a commanding presence,—tall, and straight as an Indian. Coming forward, he faced the assembly, and as it seemed to me, stood for a full minute without uttering a syllable. When he commenced speaking it was slowly, deliberately, and with a tremulous voice. Every nerve in him seemed to be strung to its highest tension. He argued for the resolutions

¹ Kansas Historical Collections, Vol. 6, p. 313.

in a most effective speech,— the most effective, it seems to me now, I have ever heard in Kansas. After he concluded there was a further slight effort on the part of the opposition to modify the resolutions, but the call for a vote was general, which resulted in the adoption of the resolutions almost if not quite unanimously. The threatened difficulties and dissensions were overcome, and the Republican party in Kansas was an accomplished fact."¹

Thus the political disintegration of the Free-State party ended in the formal organization of the Republican party, which was to be the standard-bearer of freedom in Kansas. The Topeka Constitution, which represented the Free-State people, met with defeat in Congress; the Lecompton Constitution, which met with much favor in Congress and by the Federal administration, was finally defeated by an honest vote in Kansas; the Leavenworth Constitution, never having very much of life, perished soon after its birth; the Wyandotte Constitution had not yet been framed when the Republican party of Kansas was organized. Soon after this event the Constitution was created, approved by the people, and subsequently recognized by the United States Government, when Kansas was admitted as a State.

Hence it was the Republican State Convention which met at Topeka on October 12th, upon which devolved the nominations of officers under the Wyandotte Constitution.² William A. Phillips presided at this meeting, and P. B. Plumb and J. A. Martin acted as secretaries. Charles

¹ Kansas Historical Collections, Vol. 6, p. 315.

Horace Greeley made an effective and enthusiastic speech at Osawatimie on the day of the organization of the Republican party. But he was not invited to address the convention, and did not address it, although it is commonly reported that he did. Owing to the pronounced views of Mr. Greeley, it was feared that he might add to the inharmoniousness that already prevailed, and prevent the successful organization of the party, because it was alleged that he was not fully conversant with local affairs.

² Subsequently, at a meeting of the Republican Committee, Charles Robinson was appointed National Committeeman.

Robinson, who was nominated for Governor, received a handsome majority over his opponent, H. P. Johnson. An election of State officers, under the Wyandotte Constitution, was held December 6th, 1859, at which Charles Robinson received 7,908 votes, and his opponent, Samuel Medary, the nominee of the Democratic party, received 5,395. J. W. Robinson was elected Secretary of State, and George S. Hillyer, Auditor. Thus was established the State Government of Kansas, under the Wyandotte Constitution; although some time did elapse before it was put into operation.

CHAPTER VII.

LOCAL AFFAIRS.

THERE were many local events which had much to do with the progress of the Free-State cause and the development of the Territory. It will be necessary to refer to a few of these in order to understand the true relation of Governor Robinson to the affairs concerning its progress. But of the great number of local events of vital importance to the settlers of Kansas, very little may be said. They deserve a better treatment, but want of space forbids the writer entering into the details of affairs.

The material progress of the Territory was greatly retarded by the reign of terror which existed in the summer of 1856, prior to the coming of Governor Geary. The history of this period has never been carefully written, nor, indeed, adequately represented from any standpoint. Perhaps it was because the principal leaders in the struggle were absent from the Territory a greater part of the time, or, in some instances, like those of Robinson and others, were confined in the prison at Leecompton. But those who remained in their homes were afraid of their lives, and those who found occasion to travel in the Territory were in constant fear of robbery and assassination. Armed bands of unscrupulous men roamed over the Territory, robbing and murdering Free-State men and burning their homes. To counteract this, armed bands of Free-State men were forced to defend themselves against marauding bands. However necessary this latter mode of defense may have

appeared, it failed to restore quiet or to give protection to unoffending settlers. It represents the most disagreeable and dangerous era in the whole history of the early struggles in Kansas, and the most unpleasant phase to contemplate,—and, indeed, the most difficult to relate.

This line of conduct, representing savage predatory warfare, was inaugurated by the act of John Brown in his brutal attack upon the citizens of the Pottawatomie. The act of taking five men in the dead of night, from their homes, and cruelly butchering them, caused the whole community to shudder. The suddenness and unexpectedness of the attack, its vigorous and uncompromising character, demonstrated to the Free-State men the possibilities of retaliatory measures. Here was a new line of warfare, adopted by one man who stood alone, being neither Proslavery nor Free-State, but just a bold Abolitionist who had sworn in his youth to wage uncompromising warfare against slavery. The ethics of the deed is not a subject for discussion at this place. The fact of the deed and its influence should be mentioned here.¹

The Proslavery people were astonished beyond measure, for they realized they had now an element to contend with that they had not hitherto met. But while this bloody deed sent consternation to the hearts of the Proslavery people of the neighborhood, many of them fleeing across the border for their lives, its really important effect was to arouse renewed exertions on the part of the Proslavery people to carry on the conquest, and to give them an excuse for savage retaliation. On the other hand, the Free-State men

¹ See Chapter X.

had a bold example of resistance, and they prepared to repel the Missouri invaders by force of arms. Band after band of Free-State men organized to meet bands of ruffians from Missouri, so that Kansas Territory found itself, in the summer of 1856, overwhelmed by a border warfare. The whole season was one of terror; people dared not leave their homes unarmed. Not knowing when their persons would be attacked, their property taken, or their rude homes go up in flames, they lived in a state of perpetual fear. The early settlers suffered many and diverse trials and vicissitudes, but there was nothing that quite compared to the indignities of the summer of 1856 immediately following the Pottawatomie massacre. The lonely cabin and the unprotected settlement felt the full force of the merciless anarchy that followed. Special mention is here made of this fact, for there are those who still seem to think that Brown's savage blows protected the people and freed the State from ruffianism.

The policy inaugurated by Brown and pursued vigorously by his followers was entirely opposed to the plans of Robinson and other Free-State leaders. To quote from Andreas' History of Kansas: "The aggressive warfare thus begun was not in accordance with the plans or purposes of the leaders of the Free-State movement; on the contrary, it was in direct opposition to their counsel, and had been persistently decried and successfully withstood up to this time. For the disorder that ensued, the Free-State organization was not in any way responsible. The aggressive movement at that time was an uncontrollable outburst of rage long pent up, under the stress of suffering, intimidation, insult, humiliation, and unrepressed

rage, such as by hot-tempered men of courage could no longer be unresistingly endured." The writer then proceeds to lay the blame at the door of those high in authority who planned and executed the outrages of fraudulent government until they reached this climax of bloody strife. It is idle to conjecture whether peace might not have been better maintained by calmly waiting for the plans of the Free-State party to mature, for war came, and the Free-State people met as best they could their enemies, resisting them by force. "John Brown's bloody code of retaliation" ruled in the land. The whole trouble, from the Free-State standpoint, of this mode of warfare was that when leaders like Brown and Lane made a sudden attack and obtained victory, they were up and away immediately, leaving the people defenseless against the reaction caused by their vigorous warfare. Hence, whoever considers carefully the effects of this war carried on by Brown and others, will see clearly that while they terrorized some of their enemies, they but excited others, who only waited their time to reap full vengeance on the Free-State people.

Free-State and Proslavery people organized themselves into armed bands and companies, and carried on a warfare which was direful in its effect although not very dignified in its movements. There are numerous records of conflicts, some of them great in one way and small in another. There were battles at Franklin, Fort Titus, Black Jack, Fort Saunders, Osawatomie, Marais des Cygnes, and many other places. There were intrigues, plots and counter-plots, and the individual struggles arising from personal quarrels. In all of this, though not wanting in courage, Governor Robinson occupied a calm and serene exte-

rior. In very many ways he attempted to establish order and to prevent strife and bloodshed.

One of the most remarkable instances on record, of attempts to retaliate by means of force, was in regard to the contemplated destruction of the members of the Constitutional Convention who were chosen for the purpose of framing the Lecompton Constitution. After the Territorial Legislature had been secured by the Free-State men, having a majority of votes in that body, the Proslavery people, having no other alternative, endeavored to push their constitution in the halls of Congress, secure its adoption, and create a new government under it. General Lane had been instructed to organize the military forces in Kansas for the protection of the ballot-box. He laid a plan to assemble all of the Free-State forces, "to march on Lecompton and kill every member of the Constitutional Convention." It was given out also that he intended to destroy the Territorial Government and set up the Topeka Government. At an evening meeting, held in Lawrence on the 17th of October, 1857, Lane's proposition for the destruction of the Legislature and a military movement against all the Proslavery strongholds, was thoroughly discussed. After much discussion by Lane and others, Joel K. Goodin mounted the rostrum, and, by a skillful speech, turned the whole affair into ridicule. He went on to demand war, great sacrifices and the spilling of blood, and finally closed by saying:

"But I may differ with some of you as to the proper place to begin this blood-spilling business. ['Hear! hear!'] No person has occasioned more strife, or been the more fruitful cause of our disturbances, than — James H. Lane! He demands blood! We all want it; but it is *his* blood that is demanded at this time: and if

he presses on his assassination project, I propose he shall be the first person to contribute in that direction.' [The wildest cheering possible, greatly prolonged, followed.]

"General Lane seemed perfectly confounded. The whole throng were taken by surprise, and the business portion of it were delighted beyond expression that some person had the ability and sufficient force of character to meet a bold, bad man, and throttle his murderous plans at their inception."¹

Governor Robinson was out of the town at the time of this meeting, and it was fortunate that Goodin had the courage and ability to defeat Lane's projects by a single speech. Having been thwarted in his attempt, Lane managed to have a military board created at a meeting of the Territorial Legislature, held on January 4th, 1858. He also managed to have himself appointed at the head of the military board. No sooner had he accomplished this than he began to concoct schemes for the carrying on of a campaign against all Proslavery settlements. There was a secret order called the "Danites," through which Lane was operating to carry out his various schemes. After Governor Robinson's return to Lawrence he was initiated into this society. After the initiation ceremonies were over, General Lane arose, in his dignified and mysterious way, to address the society. He began to give the details of a military plan in which he had ordered the various generals to strike severally the important Proslavery towns of Kansas. Closing his address, he said: "It now remains for Lawrence to say what shall be done with Lecompton." After a few minutes silence, Governor Robinson was called for by various persons in the room to reply to Lane. Robinson asked by whose authority this was to be done. Lane

¹ "Reminiscences of Governor Walker," by Dr. G. W. Brown. *Kansas Conflict*, p. 370.

replied, "By the authority of the military board." Robinson replied that "Neither the military board nor any other board had any such authority." He also gave notice that anyone who attempted to carry out any such orders would have him to fight. As soon as Lane's plans were made known, the people opposed him in his nefarious business, and the matter was dropped.¹ The troubles inaugurated by predatory warfare continued throughout the Free-State period long after the Free-State party had won a victory. They laid the foundation for much of the guerilla warfare which existed along the border of Missouri and Kansas during the Civil War. Especially severe and annoying were the troubles that occurred in the southeast portion of the Territory, where the reign of terror was prolonged.

There were troublesome times in Linn and Bourbon counties long after the Free-State men had gained a majority in the Territorial Legislature, and when it was evident that Kansas would eventually be admitted as a free State. The enmity and strife engendered by the border warfare would not down; it increased in its terrors until people forgot for the time being that there was a civil government which might redress their wrongs if appealed to in a legal way. The early experience with the "bogus Legislature" had taught them to distrust and ignore government and to accept mob rule instead. The events happening in the southeastern part of Kansas during the border warfare are sufficient in number and magnitude to fill a volume. In brief, these events include the attempt

¹ Governor Robinson said that he did not know whether the order into which he was initiated was the so-called "Danites" or not, as he never attended another meeting after his initiation.

on the part of the Proslavery people from Missouri and other Southern States to terrorize the Free-State people and to drive them from the soil; the John Brown massacre on the Pottawatomie; the attempt to retaliate by the opposition as observed in the Marais des Cygnes massacre; and the bold warfare of James Montgomery and his followers, who sought to retaliate for the wrongs done, and who were so embittered that they were ready to follow the idea of revenge to any extent. This border warfare began vigorously in this section shortly after the Pottawatomie massacre, and continued long after peace prevailed in other parts of the Territory. Each separate deed in this warfare has found those who defend it on various grounds, but the historian deplors the whole category of sad occurrences that devastated the country and caused so much distress and even ruin to thousands of settlers.

So confused were the operations and so general the ruffianism that on the whole, Free-State and Proslavery must share the censure. Be that as it may, what concerns us at present is the attempt of Governor Denver to break up lawlessness and ruffianism in this section.¹ With this purpose in view and in the interest of peace and order, he resolved to make a tour of the counties most afflicted with these troubles. In June, 1858, the Governor, accompanied by Charles Robinson and others, traveled through Johnson, Bourbon and Linn counties, talking with the people and suggesting means of substituting civil gov-

¹ Governor Denver was the fifth Governor sent out by the Democratic administration for the purpose of favoring, so far as possible, the Proslavery cause in the Territory, and he was the first of the five who had not been obliged to resign his place and beat a hasty retreat from the gubernatorial office. But he had accepted his position with the intention of resigning soon thereafter on account of business relations. He therefore resigned October 10th, 1858, and was succeeded by Samuel Medary, of Ohio. Prior to Governor Denver's administration Woodson and Stanton had served as acting Governors, and Denver had served a while in the same capacity.

ernment for border war. On the 12th and 13th of June quite a large number of the citizens of Bourbon county met at Fort Scott. There they were addressed by Governor Denver, Governor Robinson and Judge Wainwright, and were induced to pass resolutions abolishing feudal strife and border warfare and obligating themselves to maintain law, order and justice through civil procedure. While this attempt of Governor Denver did not entirely put an end to the disturbances, it was of great service in establishing order. Governor Denver speaks of the able services rendered by Charles Robinson in seconding his efforts in the establishment of order in the Territory.

The material prosperity of Kansas, though retarded by the political strife, was not forgotten. The population continued to increase, the virgin soil was cultivated, and in a small way public improvements were begun. The greatest obstacle that the settlers had to contend with was the lack of transportation and easy communication in different parts of the Territory and to the East. Railroads were greatly needed, especially as the river communication was entirely inadequate to the demands of the Territory.

Nor did Dr. Robinson wholly confine his attention to matters political. He was also interested in the development of the West, and realized the need of railroads in Kansas. He spent considerable time in Washington, including one whole winter, in urging legislation favorable to the extension of railroads into the Territory. His plan was to have Congress make grants of land to railroad companies as an encouragement for building, for at that time it was not thought to be a paying investment to build a railroad into Kansas. Possibly his experience with traffic on the

Missouri river and difficulties with land travel in Kansas made him realize the immediate necessity of railroads in order to secure the safe-conduct of Free-State men from the North. But he also advocated this policy from a business point of view, believing that it would build up a commonwealth and furnish a means of investment for the people. It is not known to what extent his influence affected subsequent legislation on this subject. That it was considerable, is admitted by most men who were conversant with the affairs of the Territory at the time. There were many delays, however, and there were many difficulties to be surmounted before the first railroad came to Lawrence. The following letter, written to Mr. Hutchinson while Robinson was in Washington, shows to what extent he had entered into the project of obtaining a railroad for Kansas:

WASHINGTON, Dec. 31, 1858.

WM. HUTCHINSON, ESQ.—*Dear Sir:* Your favor of 20th inst. is received. I am glad to find that you have common-sense. Those men in Lawrence who are making themselves so busy in casting imputations upon my integrity in regard to the interests of Lawrence have simply my contempt. I know I have never given a living soul any occasion to question my devotion to her interests, and hence I know that these men judge me by what they themselves would do if they could, viz., betray the interests of the town where they lived for their own personal aggrandizement. However, nine-tenths of this hullabaloo is merely for political effect. They really do not doubt my integrity in this matter, but they know the people are sensitive upon it, and they think it a fine opportunity to elevate themselves a peg or two by standing on my prostrate body. Let them sweat. Every dog must have his day, and it would be unjust to deprive them of theirs.

If any person is really serious about a railroad on the south side of the Kansas river, below Lawrence, let him go to work and build it. I will not interfere in any way. It will have to be built with *stock subscriptions alone*, and he need not wait for land grants, as

there is no land to be granted for such a road. If so, I should like to know where it is. Certainly the Delawares will part with none of their lands for a road that does not go up the north side of the river. Lawrence and Douglas county may pass resolutions from now till the judgment day for such a road and it will not interfere with our project, as we are only endeavoring to build such roads as can be built with lands granted for the purpose. There is no man here, either in Congress or out, from Kansas or elsewhere, that has a single thought of a grant of lands for a road on the south side of the river, below Lawrence, and no resolutions, communications to the *Republican*, or editorial insinuations will put such a thought into their heads. When the Kansas Valley Railroad Co. was chartered, the lands in Johnson county were not disposed of, but now they are, and the project is abandoned by its former friends. But the very fact of its having been abandoned by men of sense, perhaps, is the very reason why some wise people about Lawrence should take it up.

You say you are opposed to granting lands to aid any company *now* in existence. The people of Kansas want these grants to build *railroads* with, and *nothing else*, and they want them made in that way which will secure the best roads in the shortest time. Some chartered company must build these roads. Now is it for the interest of the people of Kansas to have *all* these lands granted, given directly to aid John Doe & Co. to build these roads, so that money can be raised at once, a first-class road built, with first-class rolling-stock and depot buildings; or is it for their interest to give them only *one-half* of the land, giving the other half to fifteen or twenty members of the Legislature, as the price of their honor, thus crippling the said John Doe & Co. so that they can either not build the road at all, or not until the lapse of years, and then only a sickly road, scarcely able to run? The John Doe & Co. chartered *before* these grants, and who have *all* the lands granted with which to build the roads, is the same firm, or just as good a firm, as the one that may be chartered *after* the grants, with only half of the lands, the other half having stuck to the fingers of the members of the Legislature. The members of a Kansas Legislature are as good as the members of any Western Legislature, but the above estimate of their course is based upon the history of the Northwestern States. Do you want the Kansas roads left in the condition of theirs—neither built nor likely to be? Give the lands to the Legislature that *should* go to the company that is to build the roads, and you will have your wish, if you

do. Of course the Legislature has the same supervision over these lands in the one case as the other, the only difference being that Congress names the company in one case without pay, while in the other the Legislature names it after stealing half the land Congress and the people of the Territory designed to be used in building the roads. But you ask who is the John Doe & Co. who are to be aided to build the road up the Kansas valley? It is the firm under the name and style of the Missouri River & Rocky Mountains Railroad Co., and the stock is controlled entirely by Free-State men, and I am quite positive a majority of the stock is held by residents of Lawrence township, or persons largely interested in the city, and by men who have more interest in the growth of Lawrence than ten carloads of such men as ——— and ———, who are making such a fuss about selling out Lawrence. No border ruffian has a dollar's worth of stock in the road, so far as I know. The directors of the company are honorable gentlemen, myself excepted if you please, and have the confidence of both the Republican and Democratic parties,—and this is necessary to success, for no grant of land can be got through Congress without both Republican and Democratic votes, neither can the Delaware lands, or any portion of them, be obtained (without which no road can be built between Lawrence and the Missouri river) without the approval of the administration. Strike out this company and you get no grants this session, beyond question. It is the only company so organized as to have the confidence of the members of Congress or the railroad public, and the only one that can work effectively for grants or any other purpose, and the company on which the whole question of grants, in my opinion, will hinge. I cannot give you all my reasons for saying this in one letter, even if it would be judicious to give them at all, but such is my belief.

I am very glad you are disposed to interest yourself in this matter, and shall be as glad to use my influence in such a way that your pecuniary interest shall keep pace with your labors and zeal.

Very respectfully,

C. ROBINSON.

Will keep you posted on New York land bill. It is *blocked*, at present, in committee. Write often. Of course this is not for publication.—C. R.

Many people have from time to time indulged in criticisms on the conduct of Governor Robinson in connection

with the town of Quindaro. While it might have been prudent for him to keep out of the land speculation, it has been the common habit of Americans, from the time of the large land companies in the days of Washington and Jefferson, to indulge in land speculation. This has been done, too, by statesmen of high rank and honorable character. The purposes of Robinson in building the town of Quindaro are easily discerned, and his conduct in connection with its failure appears to have been upright and honorable. He was interested in the material welfare of the country, and, with many others, encouraged the building of towns. No one denies that he was interested in making money on his own account. There was not one of the settlers of Kansas but what had this object. They were like the Pilgrim Fathers in this respect, who had exalted notions of "Freedom to worship God," and very practical notions on increasing their material welfare. So far as history goes, a New England man never hesitated to "turn a penny" wherever opportunity offered. Robinson was of the New England stock and the New England type, and he, with his cotemporaries who were ready to fight for freedom in Kansas,—nay, perchance to die if necessary,—were not averse to the accumulation of wealth when it could be legitimately done. In this they showed great thrift and practical wisdom.

Nearly every one who came to Kansas had more or less experience in buying and selling Kansas lands. Townsites were established everywhere, and different groups of people began to advertise and push the interests of their own town or the one in which they owned lots. Kansas is dotted over with the sites of extinct towns. Some of

them started with a vigorous growth, though soon to perish by the competition of others more advantageously situated ; but the lives of many which survived extended but little beyond the paper state. The town of Quindaro was located on the banks of the Missouri river, above the present site of Kansas City, Kansas. Several people were interested in its prosperity, and none more than Dr. Robinson. Part of this interest, to be sure, was speculative, and was due to the fact that he owned some lots in the town. But he had a larger interest in it than that, for it was started with the purpose of making it the rival of Kansas City, as an entrepot for goods. Kansas City (or Westport), in Missouri, was hostile to Kansas Free-State men, and it was desired to establish a town which was favorable to the freedom of Kansas. But the scheme was destined to failure, chiefly because of the better location of Kansas City, Quindaro being situated upon a bluff, and not easily accessible from the river. Kansas City also had the prestige of having long been a station in the overland traffic, which began vigorously in 1849.

Quindaro started out vigorously, however, and Eastern people readily invested their money in it. The promoters of the town had great hopes of its success, and really expected it to become a great city. Hence they were not slow in painting the prospects of the town in glowing colors to Eastern people. But after the town entered on its collapse those interested in it began to lose, and there was something of a scramble to get out. It is in this connection that one Abelard Guthrie appears against Robinson, criticizing him severely in a diary which he kept, part of which was published by Mr. W. E. Connelley, in a book entitled, "Will-

iam Walker and the Provisional Government of Nebraska." The diary shows the secret thoughts of a disappointed, irascible and vindictive man. The irrational, imaginative man often thinks evil of others, to learn later that he was in part or totally mistaken. If he will place all of these evil thoughts on record as they occur to him, his diary will present a peculiar and erratic appearance. If such diary falls into the hands of a publisher, it will show the inconsistencies and vagaries of the writer, if nothing else. Such appears to be the case with the diary kept by Abelard Guthrie and its vindictive attack upon Dr. Robinson. This interpretation of the diary, it is fair to say, is not due to the partiality of a biographer, but has a substantial support in the actual history of the town.

The following statement of Major O. B. Gunn, of Kansas City, one who assisted in the survey of the town and was closely connected with its history, carries much weight in the Quindaro matter. It is published entire, by Major Gunn's consent, because the history it contains cannot be more clearly and briefly stated:

"The town of Quindaro was located upon the west bank of the Missouri river, on a Wyandotte allotment of land, about three miles above the mouth of the Kansas river. Charles Robinson was the president of the Quindaro Town Company, Abelard Guthrie its treasurer, and S. N. Simpson its superintendent or manager.

"The town was laid out in the fall of 1856, during the speculative times near the close of the 'Kansas conflict.' Of an even dozen towns that were laid out on the Kansas side of the Missouri river, between the mouth of the Kansas river and the Nebraska State line, only three — Wyandotte (now Kansas City, Kansas), Leavenworth, and Atchison — now have an existence except in memory.

"Quindaro was advertised as the only town on the Missouri river where Free-State men had control, and in the spring of 1857 a large portion of Northern emigration to Kansas landed at Quindaro.

"The town company started out with much energy, built a fine three-story hotel, graded the main street, caused the erection of several fine business houses, and very soon a very thrifty town was in progress. But the failure of the Ohio Life and Trust Company, in August, 1857, which was the cause of a widespread panic, put an end to speculation in Kansas towns, and many of them dwindled away, the inhabitants gradually moved to other and more prosperous places, and the buildings were moved upon neighboring farms. It was especially unfortunate for Quindaro that it was located so near Wyandotte and Kansas City. Wyandotte, which had a more advantageous location and a more eligible town-site, started off in the spring of 1857 with a great boom, and Kansas City was using every endeavor to attract Free-State men and Free-State trade, and these movements were greatly to the disadvantage of Quindaro, and eventually were prime factors in causing its entire collapse.

"This was a great misfortune to those who had settled in Quindaro and built homes, expecting it to become an important city, but scores of newly-fledged towns in Kansas suffered in the same way. The failure of the town was a sore disappointment to Abelard Guthrie, who was largely instrumental in locating the town in a wrong place, and who, it was said, named the town after the Indian name of his wife, 'Quindaro,' and in part upon her allotment of Wyandotte Indian land. Be that as it may, he was the treasurer of the town company, and undoubtedly believed for a time that there were 'millions in it.'

"When the collapse finally came he became furious towards Robinson, and finally in 1859 began suit in the District Court, demanding settlement. The case was referred to three referees. Robinson and Simpson to select one, Guthrie one, and these two to select the third referee. Robinson and Simpson selected Judge Nelson Cobb, of Lawrence; Guthrie selected Judge Lott Kaufman, of Kansas City, Mo.; and these two agreed upon the writer as third referee.

"In due time the referees met in Quindaro, and very patiently went over all causes of complaint, examined all receipts for money received and expended, and after twenty-two days' sittings we returned a *unanimous* verdict for the defendants, Guthrie's own referee joining with the others.

"It appeared that Guthrie, although treasurer of the company, and whose duty it was to look after expenditures, and approve every account before it was paid, had neglected or refused to perform his

duties, and many vouchers were paid without his signature; and his associates were justified in acting without his coöperation in paying just bills when they became due.

"Guthrie was highly incensed at the verdict, and was very bitter and vindictive toward Robinson and the referees. Robinson paid his half of the referees' fees at \$5 per day, but Guthrie never paid a cent. He did not speak to me or notice me on the streets for more than a year after the arbitration, and not until he became a candidate for U. S. Senator from Kansas, when, the writer having been elected State Senator, Guthrie was compelled in aid of his own election to seek the aid of the writer. Judge Cobb and Judge Kaufman, referees; Charles Robinson and Abelard Guthrie, contestants; Charles Chadwick, of Lawrence, attorney for Robinson; and A. B. Bartlett, of Wyandotte, attorney for Guthrie, are all dead. Of all those who were actors in the matter of arbitration, only S. N. Simpson and the writer are living.

"Although the arbitration occurred forty-one years ago, the main points are very distinct in my memory.

"The verdict can doubtless be found in the records of Wyandotte.

"O. B. GUNN,

"One of the Referees.

"Kansas City, Mo., June 24, 1900."

CHAPTER VIII.

THE FIRST GOVERNOR OF THE STATE.

KANSAS was admitted into the Union with liberal privileges, on January 29th, 1861. Governor Robinson was sworn into office on February 9th, and he called a session of the Legislature, to meet on March 26th, 1861. As nearly as could be determined, the Legislature was composed of eighty-nine Republicans and fourteen Democrats, although it was difficult to draw party lines at this time. After the assembling of the Legislature, Governor Robinson sent to it his first message, on March 30th. It was an able message, outlining the duties of the Legislature in the organization of the State Government, and vigorous in its loyalty to the Federal Government. He said:

"While it is the duty of each loyal State to see that equal and exact justice is done to the citizens of every other State, it is equally its duty to sustain the Chief Executive of the nation in defending the Government from foes, whether from within or without, and Kansas, though the last and the least of the States in the Union, will ever be ready to answer the call of her country."

These were prophetic words, for Kansas furnished more volunteer soldiers for the Union army, in proportion to the population, than any other State. Her quota was more than filled, sometimes doubled, at every call. And Governor Robinson, though he differed with the policy of the Federal Government in some things, gave it his support so long as he remained in office.

One of the first official acts of Governor Robinson was

the appointment of Thomas Ewing, jr., M. F. Conway, Henry J. Adams, and J. C. Stone, as representatives of Kansas to the peace conference assembled at Washington. While Ewing and Stone voted for "peace and compromise," there was not a strong peace sentiment in Kansas. As evidence of this may be cited the fact that the Republican Congressional convention that convened on May 22d, passed strong resolutions, introduced by D. R. Anthony, of Leavenworth, upholding the administration in the inevitable conflict just begun, and expressing the sentiments of the convention regarding the peace party, as follows:

"Resolved, That we spurn as specious sophistries all suggestions of the peaceful dismemberment of the Union, and pledge our fortunes and our honor to its maintenance, intact and inviolate."

There were many different questions to meet in the organization of the new State, all of which were made more difficult by the impending civil war. The laws were to be compiled, the conditions imposed by the Federal Government on account of admission must be met, courts must be established, the State apportioned for senators and representatives, laws enacted for the management of the school fund and the university fund, and many other duties pertaining to the formation of the State Government performed. Moreover, there was the mustering of troops to see to, the commissioning of officers, and the management of the Indians, many of whom were troublesome. Many difficulties resulted from the coming of all these things, and more upon a new State formed by people from all parts of the Union, of different political views, who had not been in the same land together more than seven years at the utmost, and many not half that time. Moreover, the State was poor

and the machinery for raising revenue imperfect. Add to this, that politicians looking for preferment were plentiful, some of them excessively ambitious and even unscrupulous, and the affairs of the new State do not present the happiest possible prospect, nor do they promise serenity and prosperity to the State administration. But no one could stand a stormy time better than Governor Robinson.

It was significant that at the outset, S. C. Pomeroy and James H. Lane were elected United States Senators by the Legislature. This was in direct line of the political trend of the times, for it appeared from the first that Lane, who was in harmony with the political machine, was ambitious to be Senator, and that he was the most prominent man for the place.

There was, at the time, a belief among some that the term of the State officers expired on January 1st, 1862, about two years from the date of his election; but an act of the Legislature fixed the expiration of the term on January 9th, 1863, or practically two years from the time Governor Robinson was sworn in. Certain persons who believed, or affected to believe, that this was illegal, and desired a change of administration, presented a petition to the State Republican Committee reciting that, "The undersigned citizens, suffering in common with others from the impotency or malice of the present State Executive, and earnestly desiring a State Government that will in a patriotic and energetic manner defend our people from invasion," etc., etc., and asking them "to nominate a full State ticket of efficient Union men, . . . who will conduct the State Government with reference to the good of

the whole community and not upon mere personal grounds."

When judged from a historical standpoint and compared with the contemporary administration of other States, it does not appear that there was any lack of vigor in the administration of the Kansas "War Governor," or any evidence of "impotency or malice" on his part. It appears from the history of his war record that he moved fast enough for a young State without money or prestige, almost without State machinery. But he did not move rapidly enough for ambitious place-hunters who wished opportunities to win laurels in politics or war.

Strange to say, the Republican State Committee heeded the petition, and nominated a new ticket with George A. Crawford heading the list as Governor. They professed to make the nominations on the following platform:

"Resolved, That the vigorous prosecution of the present war, the earnest and hearty support of the administration in its efforts to crush out the Rebellion, the maintenance of the Constitution, the enforcement of laws, and the preservation of the Union, are the issues upon which these nominations are made."

While many of the actors in this little drama were doubtless sincere, there is strong evidence of demagoguery and injustice, of much lack of information respecting what ought to be done, and of a wish to do injustice to Governor Robinson. An election of State officers was held at the same time as the Congressional election, but the State Board refused to canvass the votes for this State ticket. George A. Crawford tried, through his representatives, to force the Board to canvass the votes, but failed, the courts deciding that the vote was illegal.

But this was a small difficulty in comparison with the trouble Governor Robinson met with in the mustering and officering of troops to put down the Civil War. He answered President Lincoln's first call promptly, and followed up vigorously the war policy. Many did not like his war methods, but they do not appear to have been different from those pursued by other States, more favored by wealth and position than Kansas.

Undoubtedly it was the first duty of the Governor of a new State to look after the welfare of the commonwealth and its people. A strong, comprehensive and able message from the Governor, followed by thoroughgoing legislation, marked the first gubernatorial period under the Wyandotte Constitution. The chief results are as follows:

The first Legislature compiled the laws providing for and regulating the State Government, among which were resolutions and laws accepting of the terms imposed by Congress for the admission of the State into the Union, and dividing of the State into districts for senators and representatives; measures creating codes of civil and criminal procedure, and a State board of equalization; others establishing a homestead-exemption law, fixing a salary schedule for all officers, making provision for the management of the State and university school funds, and other important acts. The Agricultural Society was established, and provisions for founding a university were made. In a word, during the administration of Governor Robinson the whole administrative, legislative and judicial machinery of the State Government was put in operation.

After the call for troops on April 15th, 1861, the first company of men was organized by Capt. Samuel Walker,

of Kanwaka, Douglas county, who tendered his services and a company of one hundred men on April 17th, two days after the call. A militia regiment had been organized in Linn county by Charles R. Jennison and J. E. Broadhead, in the previous month. From this time on the companies and regiments were organized rapidly, and James Blood and James C. Stone were made Major-Generals of the State militia.

The most trying situation of the whole military régime in Kansas arose from the fact that Senator Lane was appointed Brigadier-General by President Lincoln. Lane had desired to be Senator of the United States to control the political affairs of the State in relation to the Union, and to be Brigadier-General that he might in part control the military affairs of the State. As he could not hold both offices under the Constitution, Governor Robinson, presuming that Lane would resign the Senatorship in accordance with his assertions, presented, through Senator Foote, of Vermont, the name of Frederick P. Stanton, as Senator for Kansas instead of Lane. Whereupon Lane said, "This looks like an attempt to bury a man before he is dead." The credentials of Lane were referred to the judiciary committee, and he was seated as United States Senator. Subsequently, Lane was obliged to relinquish his office of Brigadier-General in order to hold the position of United States Senator, but finally was commissioned to recruit troops in Kansas.

Governor Robinson proceeded to recruit the First and Second regiments for service in the army of the United States under Major-General Stone, whom he had commissioned to command the northern division of the Kansas

militia, and Major-General Blood of the southern division. When sworn in they were ordered to Missouri, and on August 10th, 1861, they participated in the bloody battle of Wilson's Creek, where their bravery made fame for the commanding officers, Col. G. W. Deitzler and Col. R. B. Mitchell of those regiments, and honor for their State. In that fatal struggle General Lyon, against fearful odds, when he lay bleeding from two wounds, swung his hat in the air and called on the troops nearest him for a bayonet charge on the enemy. The Kansas troops rallied around him, and in a moment Colonel Mitchell fell severely wounded. The Kansans cried out, "We are ready. Who will lead us?" "I will lead you," cried Lyon; "come on, brave men." At that instant the third bullet struck him in the breast, and he fell from his horse mortally wounded. Colonel Mitchell of the Second regiment and Colonel Deitzler of the First regiment were promoted to brigadier-generals by the President of the United States. Mitchell was confirmed by the Senate, but through the opposition of Lane the confirmation of Deitzler's appointment was prevented for some time.

By the direction of General Frémont, then commanding the Department of Missouri, in which Kansas was included, the Governor recruited the Eighth regiment for home service, to be stationed on the border. Captain Wessells, of the United States Army, who was then stationed at Fort Riley, was made colonel of the regiment. General McClellan directed Major Baird of the United States Army to visit Kansas and inspect the troops in service there in the State. Baird was so well pleased with the appearance

of this regiment, and so favorably impressed with Colonel Wessells, that, through his recommendation, General McClellan transferred Wessells to the Army of the Potomac, where he was advanced to the position of General. The vacancy thus made was filled by the advancement of Lieutenant-Colonel Martin, afterward Governor John A. Martin of Kansas. Thus the colonels of the First, Second and Eighth regiments of Kansas troops appointed and commissioned by the Governor had, within a few months after their enlistment, received well-merited promotions.

Prior to the election of Lane as Senator, he had arranged with Conway, the Representative to Congress, that no appointments should be made by the administration in Kansas until after the Senators were elected. After the election Senator Lane hastened to Washington, where he tried to carry out his plans in regard to the appointment of officers of the troops called into service. He returned from Washington to Kansas in August, 1861, having authority, as he claimed, to recruit and command a brigade. It is quite strange that the authorities, the President and the Secretary of War, should authorize a Senator to recruit two regiments while holding the office of Senator, but that this was done is a matter of history. The Constitution expressly says that no person holding any office under the United States shall be a member of either house during his continuance in office.¹ As to such part of the militia of the several States as may be employed in the service of the United States, it "reserves to the States respectively the appointment of the officers." How could a Senator during his continuance in office command a brigade of

¹ Constitution, Art. 1, Sec. 6, Clause 2.

troops in the United States service and act as recruiting officer while holding office under the United States? How could such a Senator recruit troops from the militia of the State to be employed in the service of the United States, and appoint the officers of such troops, doing the same by the authority of the President, without violating the constitutional provisions that reserve to the State the power of appointing such officers? As a matter of fact, it is known that he did so command a brigade, recruited from the militia; that he named the officers while he continued in office as Senator; and that he must have done so either with the knowledge and authority or through the inadvertence of the President.

This is one of the mysteries connected with Kansas affairs that are yet to be explained. How the great and good President of the United States, so sensitive to the question of justice to all people, should have failed to allow the Governor of the State of Kansas to exercise his rights, and, in so failing, should have allowed a Senator of the United States to violate the law and assume unconstitutional and illegal privileges, has never been explained. Yet, when we realize the pressure brought to bear upon the President in those trying hours, and the difficulty he had in managing the members of his cabinet like Seward and Stanton; and finally, when we think of the magnetic power of Senator Lane, in whom the President seems to have had the utmost confidence, we can easily see how such a state of affairs could have been brought about.

Governor Robinson placed no obstacles in the way of Lane's recruiting these two regiments. After Lane had selected the officers, his son-in-law, Col. Adams, went to

the Governor and asked him to commission the officers selected, and the Governor did so.

Lane's speeches to secure recruits were of a nature to show the kind of a campaign he proposed to make as commander of the brigade. On one occasion he said, to encourage the enlistment of an infantry regiment: "When the cavalry came out of Missouri each man brought out two more horses than he took in with him, but when the infantry came out each man brought out three more horses than he brought in,—the one which he rode and two which he led." On another occasion he told of a number of mules taken in one day, adding, "It was not much of a day for mules, either." As a recruiting officer no doubt Lane was a success. The enthusiasm which he put into an audience or a band of men was remarkable. No one has ever yet been able to account for Lane's popularity as an orator. It is a well-known fact that he could stir an audience of people almost to a frenzy. An old resident of Kansas said: "He talked like none of the others; none of the rest had that husky, rasping, blood-curdling whisper or that menacing forefinger, or could shriek 'Great God!' on the same day with him."¹ Judge Kingman called him "The great natural orator." "By great natural orator," said he, "I mean a man who could stand up before five hundred men, two hundred and fifty of whom were ready to hang him to the next tree, and at the end of a half-hour have them all cheering for him." A letter of John J. Ingalls to the *Topeka Commonwealth* has this description of Lane:

"It would be hard to give a rational and satisfactory analysis of the causes of General Lane's popularity as an orator. Destitute of

¹ Noble Prentiss, in *Kansas City Star*, January 27th, 1894.

all graces of an orator, he possesses but few even of its essentials; he writhes himself into more contortions than Gabriel Ravel in a pantomime; his voice is a series of transitions from the broken scream of a maniac to the hoarse rasping gutturals of a Dutch butcher in the last gasp of inebriation; the construction of his sentences is loose and disjointed; his diction is a pudding of slang, profanity and solecism; and yet the electric shock of his extraordinary eloquence thrills like the blast of a trumpet; the magnetism of his manner, the fire of his glance, the studied earnestness of his utterance, find sudden response in the will of the audience, and he sways them like a field of reeds shaken in the wind. Devoid of those qualities of character which excite esteem and cement the enduring structure of popular regard, he overcomes the obstacles in the path of achievement by persistent effort and indomitable will."¹

Lane finally assumed command, and started his campaign in August, 1861, and completed it sometime in the autumn following. It was a continuation of the old Kansas struggle along the border, but this time in the name of the United States Government. Captain Prince, of Fort Leavenworth, in a letter to General Lane says: "I hope you will adopt early and active measures to crush out this marauding which is being enacted in Jennison's name, and also by a band of men representing themselves as belonging to your command." On December 10, 1861, General Halleck wrote to General McClellan: "The conduct of our troops, and especially those under Lane and Jennison, turned against us many thousands who were formerly Union men." December 16, 1861, Halleck wrote again to McClellan: "The conduct of the forces under Lane and Jennison has done more for the enemy in this State than could have been accomplished by 20,000 of his own army. I receive, almost daily, complaints of outrages committed by these men in the name of the United States,

¹ Wilder's Annals, p. 313.

and the evidence is so conclusive as to leave no doubt of their correctness. It is rumored that Lane has been made a brigadier-general. I cannot conceive of a more injudicious appointment. It will take 20,000 men to counteract the appointment in this State, and moreover, it is an offer of a premium for rascality and robbery in this State."

It was certainly unfortunate that after the four years of struggle between Kansas and Missouri, in which Lane's name appears so prominent on the roll of Kansas heroes, he should have been appointed to lead Kansas forces into Missouri. In Missouri there were many loyal citizens, Union men, who nevertheless had learned to hate Kansas. To them every man from Kansas was an abolitionist, and according to their view every abolitionist ought to be hanged. Hence the potency of General Halleck's remarks.

On February 11, 1862, General McClellan submitted to Secretary Stanton extracts from the report of Major-General Baird, Assistant Inspector-General of the United States Army, on the inspection of the Kansas troops. Among other things, General Baird says:

"If the practice of seizing and confiscating private property of rebels which is so extensively carried on by troops in Lane's brigade should be continued, how is it to be arranged so as to prevent the troops being demoralized and the Government defrauded? The practice has become so fixed and general that I confess that orders arresting it would not be obeyed, and that the only way of putting a stop to it would be to remove the Kansas troops to some other section. The fact that citizens' property has been seized and confiscated by troops is substantiated by both private and official evidence. To what extent may the right of confiscation be legally carried that the dignity and justice of government be not at the menace of individuals governed by cupidity and revenge?"

General Hunter, when he took command of the Depart-

ment of Kansas, found in the report of his adjutant-general that Lane's brigade was in a demoralized condition. Lane's regimental and company officers knew nothing of their duties, and had never made or returned their reports. "Regiments in a worse condition than those could not possibly be found. They are camped in little better than pigpens; officers and men sleep and mess together; furloughs in great numbers are granted and taken; drill abandoned almost wholly; the men are ragged, half armed, diseased, and mutinous,—taking votes as to whether distasteful orders should be obeyed. . . . Public property had been taken without requisition. . . . Horses in great quantities at extravagant prices were bought under irregular orders and paid for by the United States, . . . then turned over to the men and officers, who drew extra pay for them as private property."

Lane with his brigade reached Westport, Missouri, September, 1861, when he reported that "Yesterday I cleared out Butler and Parkville with my cavalry."¹ On September 22d he sacked and burned Osceola, Missouri. He returned on the 27th, and in two days reached Kansas City. The brigade turned the Missouri border through which the march lay into a wilderness, and reached its destination heavily laden with plunder. "Everything disloyal," said Lane, ". . . must be cleaned out." Never were orders more literally or cheerfully obeyed. Even the chaplain succumbed to the rampant spirit of thievery, and plundered Confederate altars in the interest of his unfinished church at home. "Among the spoils which fell to Lane

¹Spring: Kansas, p. 276.

personally was a fine carriage, which he brought to Lawrence for the use of his household.”¹

September 1st, Governor Robinson wrote to General Frémont, commanding the Western Department, that there was no danger from invasion from *Missouri*, provided that the Government stores at Fort Scott were sent to Fort Leavenworth and that Lane's brigade be removed from the border. He even relates in this letter how a band of secessionists coming over from *Missouri* stole property of citizens, and how the officers in command of the Confederates compelled the return of the property and offered to give up the leaders of the gang for punishment. Robinson expressed fear that Lane's brigade would get up a war by committing depredations in *Missouri* and returning to *Kansas*.² On October 9th, Lane wrote to Lincoln as follows: “Governor Charles Robinson has constantly, in season and out of season, vilified myself and abused the men under my command as marauders and thieves.” On the letter which Halleck had written to President Lincoln remonstrating against the appointment of Lane as Brigadier-General because it would be “offering a premium for rascality and robbery,” were indorsed these words: “An excellent letter, though I am sorry that General Halleck is so unfavorably impressed with General Lane.”

Mr. Mark W. Delahay appeared also to be trying to gain favor by misrepresenting Governor Robinson. It will be remembered that at the Topeka Constitutional Convention he strongly advocated the “black law” clause, with which he said the Topeka Constitution would go through

¹ *Spring : Kansas*, p. 276

² *Ibid.*, p. 277.

Congress "like a shot." It is nothing against him that he had political ambitions for political power, but this attempt to "stand in" with the President of the United States by defaming others shows that his ambition for himself was of greater interest to him than the success of the Union. To show the spirit of the times in political circles, Delahay's letter to President Lincoln is given in full:

LEAVENWORTH CITY, KANSAS, NOV. 30, 1861.

DEAR LINCOLN: Gov. Robinson a few weeks ago published a letter in which he charges you with being the instigator of theft and robbery, which he *assumes* to have been committed by our Kansas soldiers. Your friends properly resented the insult by nominating and electing Geo. A. Crawford (a Union candidate) to succeed Robinson as Governor on the 2d Tuesday of January next. By the plain language of our State Constitution his time expires on that day, but through his influence the Legislature failed to provide for the election of his successor this fall. The people, however, availed themselves of their constitutional right to elect; Robinson is now trying to induce the State Board of Canvassers not to count Mr. Crawford's vote. He will also attempt to influence the Legislature, in violation of the expressed will of the people, to recognize *him* instead of Mr. Crawford as Governor.

The appointing patronage which has been given him by the War Department in the organization of regiments has been of great use to him against your friends here. He is now raising two regiments for New Mexico by order of General Frémont, when the proper protection of Kansas would more than occupy his whole time. The appointments and outfits for these regiments involve an immense amount of patronage, which will all be used to perpetuate Robinson in office against the overwhelming vote of the people.

This abuse of your *confidence* by your enemy to overthrow your friends here will *exhaust* all your *patience*, I hope, and will meet with proper rebuke.

I hope that you will countermand the order for the New-Mexican regiments, on the ground that all our men are needed nearer home, and that they already have soldiers there. And from this time on I trust the Honorable Secretary of War will withhold from Robinson

(who is a traitor to your administration) all manner of control over the organization or commissioning of officers in advance. Regiments can be organized better under Major-General Hunter, and Robinson will have to commission those elected by the subordinates or designated by General Hunter, who will commit no act of extravagance, and who enjoys our confidence and respect. Our new Governor-elect is an honorable man, and will give the war and your administration a hearty support.

Pardon me for troubling you, yet these reflections are of great moment to us here.

Truly your friend,

DELAHAY.

When General Hunter took command of the Department of Kansas in January he received instructions from Washington that a southern expedition of eight or ten thousand Kansas troops and four thousand Indians had been decided on, and that it was understood at Washington that General Halleck favored the expedition, but that Lane was to have chief command. Hunter opposed Lane's southern expeditions, which, it appears, had been sanctioned by the President. When General Hunter insisted that he should command this expedition in person, the whole matter was dropped, and Lane, who had contemplated resigning his seat in the Senate, finally concluded not to do so. The collapse of what General Halleck called "the great jayhawking expedition," by order of General Hunter, changed the aspect of affairs entirely. On July 22d, 1862, Lane was made commissioner for recruiting in the Department of Kansas, but no attempt was made after this to make him a commander in the army. When Lane was recruiting regiments he issued commissions right and left, but they were found to be worthless without being signed by the Governor, according to the views of the paymaster. While

Robinson commissioned the officers of the first regiments formed, sometimes at Lane's request, he finally declined to sanction Lane's erratic appointments. The Secretary of War telegraphed to Governor Robinson, "If you do not issue commissions, the War Department will." To which the Governor promptly replied, "You have the power to override the constitution and the laws, but you have not the power to force the Governor of Kansas to dishonor his own State." This was the position of Governor Robinson, and he held it firmly.

It may be added here, that after Governor Carney, Robinson's successor, was elected, he found the same difficulty that confronted Governor Robinson. Carney went to see the President, and the President gave him a letter to Stanton, saying, "Will we at last be compelled to treat the Governor of Kansas as we do other Governors about raising and commissioning troops?" This seemed to be a frank acknowledgment of the fact that an attempt had been made to override Governor Robinson in the raising of troops. It seemed to indicate that the Secretary of War had treated the Governor of Kansas in one way and the governors of other loyal States in another. Stanton reluctantly acceded to the President's request, and Lane's influence ceased with the administration so far as the military affairs of the State of Kansas were concerned.

The Kansas regiments continued to be organized, and their records show brilliant and brave work in the cause of the Union. The Republican party of Kansas stood staunch and firm for the Union, and through resolution and action gave the Federal administration their hearty support. The Republican Congressional Convention assembled at To-

peka, May 22d, 1861, and the following resolutions were offered by D. R. Anthony, expressing their support of the State administration:

"Resolved, by the Republican party of the State of Kansas in convention assembled, That the existing condition of national affairs demands the emphatic and unmistakable expression of the people of the State, and that Kansas allies herself with the uprising Union hosts of the North to uphold the policy of the administration.

"Resolved, That the grave responsibilities of this hour could not have been safely postponed, and that they have not arrived too soon, and that in the present war between government and anarchy the mildest compromise is treason against humanity."

There occurred during this administration an unfortunate event regarding the sale of State bonds. It appears that in the act providing for the issue of bonds, provision was made for the sale of the bonds at a minimum price of 70 per cent., while in fact they were put in the hands of an agent with the understanding that he could have a commission of all over and above 60 per cent. on the amount of State bonds. J. W. Robinson, Secretary of State, and George S. Hillyer, Auditor, manipulated this sale, and they held that they did so according to the law, and that though the bonds actually sold for 85 per cent., only 60 per cent. was turned into the public treasury. A committee of the Legislature which convened January 14th, 1862, consisting of Anderson, Carney, Sidney Clarke, B. W. Hartley, and H. L. Jones, was appointed to consider the whole matter, and submitted a report on this sale on February 13th, accompanied with the following resolution, and recommending its adoption:

"Resolved, That Charles Robinson, Governor, J. W. Robinson, Secretary of State, and George S. Hillyer, Auditor of the State of

Kansas, be and they are hereby impeached of high misdemeanors in office."

The following day this resolution was adopted in the House by a vote of sixty-five yeas and no nays.¹ P. B. Plumb was chairman of the committee appointed to draw up articles of impeachment. This committee reported eight articles of impeachment against J. W. Robinson, and on February 26th, 1862, the same committee reported eight articles of impeachment against George S. Hillyer and five articles against Charles Robinson. The articles against J. W. Robinson were adopted without a division, those against Hillyer without division, and those against Governor Robinson by a vote of fifty-three to seven. In the impeachment of J. W. Robinson, seventeen voted guilty on the first article of impeachment, and four not guilty; on the second article, ten voted guilty and eleven not guilty; on the third article, eight voted guilty and thirteen not guilty; on the fourth, five voted guilty and sixteen not guilty; on the fifth, seven voted guilty and fourteen not guilty; on the sixth, twenty-one voted not guilty; on the seventh, twenty-one voted not guilty; and on the eighth, twenty-one voted not guilty. Therefore, J. W. Robinson was impeached on the first article and acquitted on the other seven. The Senate then removed Secretary Robinson from office, by a vote of eighteen to three. George S. Hillyer was then tried and convicted on the first article and acquitted on the other seven. The Senate then voted by eighteen to two to remove Auditor Hillyer from office. The Auditor was convicted on the following article of impeachment:

"ARTICLE I. That the said George S. Hillyer, as Auditor of State of

¹ Wilder's Annals, p. 343.

the State of Kansas, was, together with the Secretary of State and the Governor of said State, by the laws of said State authorized and empowered to negotiate and sell the bonds of the State, the issuance of which was provided for in the act authorizing the negotiation of one hundred and fifty thousand dollars of the bonds of the State of Kansas to defray the current expenses of the State, approved May 1st, 1861.

"That the bonds of the State of Kansas to defray the current expenses of the State as aforesaid, were prepared, executed, and issued according to law.

"That the said George S. Hillyer, being so empowered to sell and negotiate the said bonds, did authorize and empower one Robert S. Stevens to negotiate and sell said bonds to the amount of eighty-seven thousand two hundred dollars, at any price over 60 per centum upon the amount of said bonds, he, said Stevens, paying to the State no more than 60 per centum of said amount; that under said agreement, and with the full knowledge and consent of said Hillyer, said Stevens proceeded to sell and deliver a large amount of said bonds, to wit, the amount of fifty-six thousand dollars of said bonds, at the rate of 85 per centum on said amount of fifty-six thousand dollars,—all of which was well known to said Hillyer. Said Stevens paid over and accounted to said State for only 60 per centum upon said bonds so sold, which said agreement, so made and entered into by said Hillyer, was in direct violation of the laws of said State, in this, that under said laws said bonds could not be sold for less than 70 per centum on the amount of said bonds; and was in violation of the official duty of said Hillyer, in this, that the State was by said agreement defrauded out of its just rights, in that said State was entitled to receive the full amount for which said bonds were sold, while in truth and in fact, with the full knowledge and consent of the said Hillyer said bonds were sold for 85 per centum upon the dollar, and the said State did not receive therefrom more than 60 per centum upon the bonds so sold; whereby said Hillyer betrayed the trust reposed in him by the State of Kansas, subjected said State to great pecuniary loss, and is thereby guilty of high misdemeanor in his said office of Auditor of State aforesaid."

The trial of Governor Robinson followed, and on the first article two Senators voted guilty and nineteen not guilty; on the others there were received a unanimous vote of not

¹ Wilder's Annals, p. 349.

guilty, with the exception of article five, on which one vote pronounced guilty. Governor Robinson was declared acquitted of all the articles exhibited by the House of Representatives against him. Yet, while Governor Robinson was acquitted of all these charges, the fact that they had been made left a stain upon his administration in the minds of some people. Those who take the trouble to inquire carefully into the history of the whole matter will find that no blame could be attached to him. And indeed there are those who, in spite of the conviction of Hillyer and J. W. Robinson, hold that these men acted honestly and fairly in attempting to market the bonds, believing that they could not be sold at a price above 60 per centum on the par value. Nevertheless, the credit of the State of Kansas was better than they supposed, and the bonds might have sold for more than 60 per centum. Some criticism attaches to those officers, the Secretary of State, and the Auditor, for not managing the business better, because those were officers of the administration of which Robinson was the head, and there may have been a lack of alertness on his part in regard to the bonds, although he defends himself because he was out of the Territory at the time the transaction took place. He says of the trial of the Governor, by the Senate:

“It was shown by the testimony of all the witnesses of the negotiations on the part of the State, that not only the Governor was not advised of the transaction, but that he was one thousand miles distant from it; that he had refused to sell the bonds, when asked, for a less price than that named in the law. The testimony on the other hand has shown that the Senator-General (Lane), who was consulting about the sale, signed a letter to the President asking that it might be made, and his private secretary was paid five hundred dollars and a promise of five hundred dollars additional for assisting

in this sale. These facts are published in the proceedings of the trial, and speak for themselves."¹

One is impressed with the many difficulties of the position in which Governor Robinson was placed during the short period of his active administration as the first Governor of the State of Kansas. Surely, he had enough opposition to try his soul, and this opposition was the opposition of demagogues who did not fight in the open. Possibly he was not careful enough to protect himself from their attacks. The only blame that can fairly be said to attach itself to Governor Robinson, in connection with the illegal sale of bonds, is the fact that it occurred in his administration, and while not himself guilty of wrong-doing, he should have been sufficiently watchful and exerted sufficient influence not to have permitted anything of the kind to occur. Personally, the Governor is not responsible for the official conduct of the Treasurer and the Auditor of his administration, but the three were empowered by the Legislature to sell the bonds, and while he personally refused to sell them at less than 70 per cent., the price fixed by law, still it seems clear that his associates in office did violate the law. It appears to the writer that Governor Robinson's ability and shrewdness, had they been applied to the point in question, would have so arranged matters that the Auditor and Treasurer would not have found themselves able to sell the bonds without Governor Robinson's knowledge; and this criticism, if it be one at all, can at worst be said to involve nothing more than censure for inadvertence and oversight caused by the numerous demands upon his time and attention. Such a criticism is a

¹ Address written for delivery at Leavenworth Reunion, Oct. 11, 12, 13, 1883.
Proceedings in Impeachment Cases.

good deal like saying that if he had thought it was going to happen, or that there was a possibility of its happening, he could have prevented it. Yet, his political and personal enemies fastened upon this affair as offering good ground upon which to attack his administration, and politically he was obliged to bear the results of the attack. James H. Lane appears on the scene, just at the opportune time, for it was largely by his suggestions that the impeachment occurred.

After a careful reading of all the details of history, one is forced to the conclusion that it is difficult to see how the management of the war could have been improved, unless some way had been devised for making war on that class of traducers who trotted between Kansas and Washington, misrepresenting affairs. Certainly little blame could be attached to the Governor of Kansas for the irregularities of the border warfare, so long as the Federal Government in every way possible encouraged those who were believers in disorganized predatory warfare. There was a serious defect in the management of the Civil War, attributable largely to the desire of the officials at Washington to dictate the policy of the war in its details. General Grant saw this fatal mistake, and before he accepted command of the entire forces obtained concessions in this direction which enabled him to push the war to a successful close. The same defect was observed in the late Spanish-American War, although not to such a grievous extent. The military board of control might have been of use as a suggestive committee on the conduct of the war, but it was powerless to win battles. The President is indeed Commander-in-Chief of the forces, but if he is wise, neither he nor his secretary

will overstep the bounds of reason in attempting to exercise unduly his prerogatives in an attempt to absorb all the power and become dictator.

But why did the Federal authorities treat Kansas differently from other States? Did it think the Governor incompetent or disloyal? Or, did it think him weak, and easily overridden by arbitrary authority? In either case it was sadly mistaken, and if mistaken, probably misinformed by some of the warrior politicians of Kansas.

Notwithstanding the difficulties arising out of the Civil War, therefore, and the peculiar conditions surrounding the State administration at this time, Governor Robinson's official career is marked by strong and upright service to the State; and though beset by more difficulties than any other governor in the history of the State has had to face, and surrounded by as greedy a horde of politicians as ever annoyed a governor, yet the first chief executive of Kansas gave the State an administration that was clean and progressive, and one in which the work done makes as fair a showing as that of the best administrations in the history of the State. Truly had the "War Governor" of Kansas fulfilled the promise of his first message as the first Governor of the State:

"It is equally its duty to sustain the Chief Executive of the Nation in defending the Government from foes, whether from within or without, and Kansas, though last and least of the States of the Union, will ever be ready to answer the call of her country."

Governor Robinson cheerfully surrendered his office to Governor Carney, who succeeded him on January 12th, 1863. As to the war policy, Governor Carney followed substantially in the footsteps of Governor Robinson, but with less difficulty,—largely for two reasons: First, be-

cause he had less opposition at home and at Washington; and second, because he had far less to do, Governor Robinson having mustered and equipped for the service thirteen regiments and several batteries, while there were but four regiments mustered in Carney's administration, with the addition of two colored regiments. Moreover, as the war progressed, methods became systematized both at Washington and in Kansas, and many difficulties disappeared with the disappearance of irregularities.

No other Governor of Kansas had so many difficulties to encounter as Governor Robinson. The events of the last few years had left their heritage of jealousy, hatred, and other forms of bitterness. In the constitutional struggle there had been persons and parties on both sides of the slavery question who had been at bitter feud with one another. There had been many disappointed, wronged, and outraged individuals of the Free-State party fighting a similar class of the Proslavery party. There had been contentions of politicians with personal ambitions; bickerings and strife over land claims. And now, above all, there was the impending Civil War, in which Kansas must do her part. Much depended upon the prudence and wisdom of the first Governor, in order to give the new State a fair start in the sisterhood of States. The long delay of Congress in admitting Kansas to the Union was therefore not an unmixed evil, as it gave the Governor an opportunity to prepare for the arduous tasks before him. He met all with a calm, courageous spirit, started the machinery of State government, and gave the new State an impulse toward right government.

CHAPTER IX.

SUBSEQUENT EVENTS.

COMPARED with his previous experiences in California, Massachusetts, and Kansas, the life of Governor Robinson after the close of his term as Governor of Kansas was a quiet one. Yet it was a life of activity as the world goes, for he was two terms in the State Senate, a candidate for Congress, a candidate for Governor of Kansas, and was Superintendent of Haskell Institute, Regent of the State University, and President of the State Historical Society, —all of which combined, filled the intervals of a busy agricultural life. In addition to this, he was more or less frequently engaged in writing for newspapers and periodicals.

After the burning of Robinson's house, (in May, 1856,) which was situated on the hill south of North College, in Lawrence, he did not rebuild, but moved to his country home of "Oakridge," where he spent the remainder of his days, except as he was called to and fro in his busy life. At Oakridge he built the mansion which is at present standing on the place in Grant township. "Oakridge" is a beautiful rural estate, situated about four miles north of Lawrence. The house is situated on a hill covered with natural oaks, around which have been planted maple and other deciduous trees. The hill is a bluff, once a bank of the Kaw when it reached the northern limit of the Kaw valley. From the site of the mansion one can see across the Kaw valley to the bluffs on the other side of the river, and, prominent in the distance, about five miles "as the



"OAKRIDGE," THE ROBINSON HOME, 1900.

crow flies," a little to the west of south, is Mt. Oread, covered with the University buildings. On the south side of the river the town of Lawrence is snuggled under the hill along the bank and southward. The view is magnificent: broad acres of fertile land, avenues of trees, the wandering course of the Kaw marked by lines of trees and shubbery, and an occasional glimpse of the river's shining surface, with the hills on the opposite side mantled in a blue haze. Magnificent sunsets, indescribable by power of tongue or pen, are seen from this site when the "king of day" goes to rest in a blaze of glory, leaving on his trail indescribable blues, lavenders, golds, and pinks, gorgeous paintings from the studio of nature, done in water, not oils. In the autumn the trees of "Oakridge" turn to beautiful browns and reds. Kansas is not noted for the brilliancy of its autumn foliage, but "Oakridge" never fails to end the autumn season by assuming gaudy colors and reflecting a blaze of color from the wooded hills. If "Oakridge" seems a trifle secluded to some, it is never lonely in its magnificent surroundings. Around the country home and belonging to the Robinson estate are sixteen hundred acres of land, much of it very fertile, on which wheat, corn and other crops grow luxuriantly. Governor Robinson was an excellent farmer, both theoretical and practical. He not only tilled his broad acres well, but was interested in improved methods of agriculture. He was well known in agricultural and horticultural circles, and frequently addressed societies on topics relating to these two great industries.

Here, in his home of "Oakridge," ex-Governor Robinson passed a quiet life, devoting his attention chiefly to the management of his farm and the details of private business.

Into his home came newspapers and the recent books, which kept him acquainted with the doings of the outer world. All the controversies of the day had for him a keen interest, and frequently, like an old war-horse, he sniffed the battle from afar. Nor did he hesitate to engage in controversies, especially when they had to do with Kansas history and the principles involved in the political and social affairs of everyday life. In taking sides in politics from this time on, his old instinct to help the "under dog" was always prominent. This peculiarity was probably due not only to inborn characteristics, but also to his life in the California and Kansas struggles.

Being a farmer, Governor Robinson had a large sympathy for people of his own class. He understood well the difficulties that beset the farmer of the West in turning over the prairie sod, the subsequent trials in fighting against the drought, grasshoppers, and other calamities that came upon a new State; and the more recent difficulties caused by the rapid falling in prices, or at least the decline in the comparative price of farm products on the one hand and the rise of manufactured articles and other commodities which the farmer was obliged to purchase on the other. He also gave help to the farmers in their vigorous attempt to free themselves from the latter conditions, which finally led to political turmoil in the State.

While there has been more or less immigration to Kansas from the time of settlement until the present time, there have been several great movements. The first was the great influx of two streams of people, one flowing from the North, headed from far-off New England; the other coming from the Southern States, headed from the confines of

special legislation in favor of the farming communities. While the Grange accomplished a great deal in the social and educational way, and while, by bringing the consumer and manufacturer more closely together, it also succeeded in reducing the enormously high prices for products manufactured in the East and sold by agents throughout the West, yet its political attempts largely ended in failure. The legislation which it brought about proved rather detrimental to the progress of the Western States than advantageous to them.

In the eighties the Farmers' Alliance was started, largely on the same principles as the Grange had advocated. It was, indeed, only a *réecho* of the old organization, which had declined as prosperity had returned and the political phases failed. The Farmers' Alliance sought to help the farmer in every way possible, and at first, through agitation and the arousing of public sentiment, to influence legislation in their favor. Here again, as before, the politicians seized the organization, and through it sought to relieve the distressed condition of the farmer by specific legislation. While good has been accomplished by the agitation attendant upon the Alliance movement, nearly all the legislation enacted through its efforts has been a partial or total failure; and the Alliance stores, like those of the Grange, went out of business. In this case, as in the other, the people were led into error by designing demagogues and politicians who were only seeking to satisfy their thirst for power and spoils.

True to the governing principles of his life, ex-Governor Robinson sympathized with the new movement. He left the Republican party in 1886 as his ideas grew more demo-



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cratic and as he saw, according to his judgment, that the Republican party was not doing what it ought to for the people. Possibly, too, his political life under the Republican régime had come to such a sudden end that there was no prospect of working in harmony with that party. At any rate, from the close of the war Governor Robinson had not so warm a feeling for the Republican party as might have been expected on the part of one so well versed regarding the conditions of its origin, from both a theoretical and practical standpoint. However, it was in accordance with the independent spirit of the man, who rebelled at the restraint of a political régime.

He was elected on the Republican ticket to the State Senate in 1874, and again in 1876 to a second term. While the Republican party at this time was almost the only political power in the State, and though Governor Robinson, as a member of the Senate, took a deep interest in all matters which interested the State, he had but little to do with the present organization. In 1886 he was induced to leave that party and enter upon a political campaign as candidate for Congress against E. H. Funston, but he failed of election. In 1890 he was induced to run for Governor, supported by the Democrats, and the Populists and Greenbackers. He again failed to be elected; but in 1892 he helped organize the fusion of the Democrats and Populists, which ended in the election of the Populist Governor Lewelling.

While Governor Robinson did not formally leave the Republican party until 1886, he had followed the liberal wing of the party after 1872, and had gradually become more and more estranged from the old party until his final



*Very truly yours
C. Robinson*

EX-GOVERNOR CHARLES ROBINSON, 1872.

reparation from it in 1886. From that time on he was a counselor to the leaders of the Democratic party, to which he most closely adhered, and also to the leaders of the Populist party.

In his campaign for Congress, and more especially for Governor, he attacked the tariff policy of the United States. He held that the tariff was being used as a tool to enhance the power and increase the wealth of the rich; that the burdens of taxation were falling upon the poor by the spread of monopolistic power; and while he would not object to a moderate revenue being raised by the tariff, he believed that laborers were not being protected by it and that the poor people were paying the taxes.

While Governor Robinson was always active with pen and voice in the political affairs that concerned the people, his last public office in the State was that of Senator, in 1876, and his last public campaign was for Governor in 1890; although he held the position of Superintendent at Haskell Institute, an appointment made by the Federal Government.

Perhaps the most important act of Governor Robinson while in the State Senate was the introduction of a bill relating to the common schools. Of the many bills introduced by him that became laws, some of them in reference to local matters in Douglas county and others having an importance throughout the State, this one is of the most importance. It is not surprising that the man who had so much to do with the establishing of the first public and private schools in the State, who by his courage and cool judgment before and during the Civil War made it possible for the people of Kansas to have free schools, and who

used his powerful influence in the advancement of higher education in the State, should have prepared and secured the passage of a law for the regulation of these schools. This law purported to include all the Kansas school laws in existence at that time, together with such changes as were desirable. It therefore served to bring together all the law on the subject, as well as to enact new law. It is upon this act that much of our present school law is based, although many changes have been made as occasion has required. The law covers all of the following subjects: State and county superintendents,—duties and salaries; school districts,—when, how and by whom organized; district officers,—duties, how and when elected; schools,—branches taught, length of term, who are pupils; teachers' institutes,—how, when and where held; certificates,—three grades, given by whom; graded schools; libraries; schools in cities of first and second class,—board of education, powers, officers, duties, levying tax, issuance of bonds; cities of third class,—defined, how governed; district bonds,—how issued, for what purpose, how paid; school lands,—when sold, how sold, and price; school funds. The law was comprehensive, and sufficiently complete to fully organize the public-school system of the State.

The Quantrell massacre, which occurred on August 21st, 1863, was the most atrocious affair that has happened in the whole history of Kansas. The enmity which existed along the border on the part of a certain class of reckless people of Missouri, against Kansas, and especially against Lawrence, never died out, and with its continuance was the ever-present desire for revenge. The justice-loving

people of Missouri and Kansas, as well as those of the whole world, were startled at its horrible cruelty. But the raiders knew, and the people of Lawrence knew, that it was not an accident of the Civil War. Not that there is a valid excuse in Christendom for such a raid and massacre; but it was caused by designing ruffians who had long nursed their hatred and cultivated their desire for revenge.

At the time of the raid Governor Robinson was living at the head of Massachusetts street. On that morning he left his home to go to the stone barn which stood near what was afterward the home of the late B. W. Woodward. He had proceeded as far south as Quincy street, when rapid firing was heard to the east of him. People came running and said, "The bushwhackers have come; run for your life!" He proceeded to the stone barn, which sheltered him for a time, but, seeing buildings burning near him, and supposing that the barn would soon share the same fate, he moved out to the top of the hill. Here he saw two men shoot Mr. Martin and then ride away toward the eastern part of town, where the whole band of guerrillas were forming on the high ground near where now stands the Friends' meeting-house. As he returned to the main street again, a scene of indescribable horror met his gaze. The town was burned and sacked, and honored citizens lay dead or dying in every direction. Without any opportunity for defense, citizens were murdered on sight, their homes plundered and burned. There can be no estimate placed upon the atrocious work of those brief three hours, except to say that it was worse than the deeds of savages, and that it could not have been done except through a spirit of revenge. It was the result of years

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of raiding and invasion by un-military bands of men who committed un-military deeds. Without doubt remote causes could be detected prior to 1861, but the immediate occasion was the raiding in Missouri of "Jayhawkers."

On Sunday, August 21st, 1892, the anniversary of the Quantrell Raid, after the publication of "The Kansas Conflict," Governor Robinson gave an address at the services held in Central Park in commemoration of the most atrocious massacre on record in modern times and among civilized people. In this address Governor Robinson gave his personal recollections of the event, and then proceeded to show that the Quantrell raid was but a sequel to other events; that it was nothing more than an attempt to retaliate for the terrorism practiced by desperadoes on the border hailing from Kansas. Governor Robinson received severe criticism for his bold assertions respecting the Quantrell raid, and, true to the habit of his life, he took up the pen in vindication of his position, and, as usual, referred his readers to what he actually knew existed in the years of 1861 to 1863.

While Governor Robinson contributed frequently to the papers concerning the historical, political and social affairs of the State and nation, his greatest work was "The Kansas Conflict." He spent much time and labor in collecting material, and wrote with much care. When the book was finally published it received many interesting reviews and much favorable comment by the press. There was also considerable sharp criticism of the book, because it was written, so his critics said, from a partisan standpoint, and was controversy rather than history. In reality, "The Kansas



LAWRENCE, 1899.

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Conflict” is not a complete history of early Kansas, but a complete and authoritative account of particular phases of it. It presents the principal issues in the struggle for freedom in Kansas, and substantiates the position of the writer by numerous quotations from authorities. The book is well written, argumentative, and strong. It will always prove a monument of history to those studying the Kansas conflict. There are comparatively few really good books on Kansas history. Among these should be mentioned those already referred to: “Kansas; its Interior and Exterior Life,” by Mrs. Robinson; “Kansas,” by Mr. Spring; Connelley’s “Territorial Governors”; Wilder’s “Annals,” a compendium of facts and dates; Dr. Cordley’s “History of Lawrence”; and the one under discussion, “The Kansas Conflict.” It is not intended to ignore the many excellent things in a number of other books, but these represent the best accounts, and all combined give a fair representation of nearly all of importance that happened in the early history of the State.

“The Kansas Conflict” produced a profound impression wherever it went, among friends and foes. Senator John J. Ingalls thought it a remarkable book, and said so. Favorable comments were made by many others, who were non-partisans in Kansas history. One prominent man declared that he would not read the book, as he was on the other side,—in reality a severe criticism upon the man himself, who thus assumed that there was nothing to be learned from his opponents; and, at the same time, a slur upon the book, as if it were a partisan production.

Perhaps it may be well to state that the book is an argument of a case in which the plaintiff is the Free-State cause

and the defendant is the Proslavery party; and in the arraignment, little opportunity is given for the defense, as the overwhelming evidence for the plaintiff is final. Nor is the author slow to vindicate his course in the Kansas struggle, nor to defend himself against the attacks of his enemies. This is carried so far as to throw the book out of historical proportion, and leave many events of the history of the times untouched or meagerly represented. But the author carried out his purpose, which was not to write a complete history of Kansas, but to set right popular belief concerning the great steps in the conflict between slavery and freedom in Kansas. The book is a truthful representation of this phase of history, although there is much to be said in addition if the entire history of the times is presented. The first part of the book readily passes for plain narration, but the author goes from this to pure argumentation, substantiated by historical facts. The book stands as Robinson's view of the conflict, and the story is told so well that whatever criticism a reader may have to make, he must admit the main thesis, that non-resistance to Federal authority and a free ballot with an honest count were the two great causes of the salvation of Kansas,—causes whose reality every one who studies Kansas history properly will be obliged to admit,—causes that will not be overshadowed by military "bluffing," deeds of crime, nor personal ambitions.

It is a vigorous book, a lasting book, characterized by pungent writing, in which the author attempts to set forth, by argument and proof, the real character of this struggle. In it he gives a graphic picture of the early abolition days, of his struggle in California, and the details of the strug-

gle in Kansas. In every instance where he reviews the services of Brown and Lane in this book, he does not ask the public to rely entirely on his judgment in the case, but quotes freely, from the beginning to the end of the work, newspapers, documents and speeches to prove his view of the matter in question. Perhaps no other book has brought so clearly before the people the real issue in the Kansas struggle and the actual progress of that struggle. And perhaps of all the writings of the Governor, this work represents more clearly his views upon the chief matters that concerned his life than all others of his work combined, whether writings, speeches, or addresses.

Yet there is something lacking in the book; for the public would like to know more concerning his personal life and character. Not being a biography, it could not give the personal details of his life in many respects. Nevertheless, being a history of which he was an important part, it could not fail to represent him in the greatest part of his life-work.

The controversy over the temperance question and the prohibitory law called forth the argumentative powers of Governor Robinson. While he was always a strong advocate of temperance, he opposed the prohibitory law because he thought it an impractical method of dealing with the question. It also appeared to him to be an infringement upon the personal liberty of citizens to such an extent that it would not only defeat its own purpose, but would lead to other evils and create a disregard for law. He expressed himself freely in the defense of his position in a series of articles covering the entire operation of the law. The articles are strong, and vehement almost to vin-

dictiveness in the denunciations of the shams of pretended enforcement and the methods taken for the evasion of the law. While Governor Robinson was honest in his views, and thought and wrote from conviction, he is less happy in the position taken here than in many other controversies that engaged his attention. (See Chapter XII.)

Robinson had a wide sympathy with the laboring people who were struggling for higher wages. Had he been a selfish man, he would have looked after the interests of the farming population alone, but he was interested in all movements which had for their object, justice to humanity. He had become preëminently a people's man, opposed to all invasions of the people's rights, real or imaginary. When the Pullman strike occurred, followed by the railway strike, during the leadership of the American Railway Union, he at once took sides with the strikers against the latter in a vigorous article entitled "Corporate Power." He advocated restrictions of corporations to prevent robbery. In this article he states that "Another cause of discontent is the robbery of the people by the corporation laws. These laws have filled the land with thieves and robbers who are more merciless in their exactions than was ever feudal lord of his vassal." He held that if highway robbery were stopped and exact justice meted out to all classes, there would be no cause for strikes. He declared that the alternative to this was to deprive the people of education and reduce them to abject slavery. He said the government must make the choice between these two methods, but if it hesitated too long the people would take the matter in their own hands and attempt to redress their grievances by force.

Governor Robinson was interested in the history of Kan-

sas, and was ever on the alert for its truthful representation. It is quite natural that one who had had so much to do with making history should have had an interest in its records. He was a member and director of the Kansas Historical Society from 1878 to the time of his death, and served one term as its president. He was instrumental in contributing to its records in various ways. Others were more actively engaged in its foundation and support than himself, but none felt more deeply its importance to the State.

Governor Robinson was elected a member of the Loyal Legion, a military order, having the headquarters of the commandery of the State of Kansas at Leavenworth. The order was composed of those statesmen and soldiers who had rendered distinguished services to the cause of the Union in the Civil War. Many of the most distinguished army officers and statesmen, including nearly all of the war governors, were members of the Loyal Legion.

While at Oakridge, Governor Robinson took much interest in the affairs of the rural community in which he lived, and especially in the young people of the neighborhood. He took part in the frequent entertainments in the school-house near his home, and superintended the Sunday-school each Sunday afternoon. His kindly interest in the young people of the neighborhood is shown by the fact that he had been known to come from Topeka, during his term as State Senator, to attend the gathering at the school-house, returning to Topeka on the night train in order to be on hand the next day for senatorial duty. He was a member of the local grange, and was interested in the farmers' meetings. He was also a member of the Good Templars, an order that held frequent meetings at the Robinson school-house.

Later, in the great Farmers' Alliance movement, he attended the meetings of farmers, and when the Alliance went into politics with the Populist movement his sympathies were with them.

Dr. Robinson was in nature and spirit an abolitionist, nor was he afraid at any time to announce his views, and, so far as history records, he never compromised with the slavery element at any time. Nevertheless, he was inclined to peace if possible, and was always generous towards his enemies. In December, 1863, he received a letter from Leavenworth asking him to address a public meeting in that town, upon "The expediency of extending the elective franchise to the colored population of the State." The invitation also asked him to present his views by letter in case he could not come in person. In reply to this invitation, he says:

"Having received my education and early convictions of political rights in the heart of Massachusetts, where suffrage knows no distinction of color or race, I can see but one side to the proposition in question.

"The white and colored people have a common origin, are endowed alike with intellect, with moral and religious natures, and have a common destiny. If this proposition is correct, it follows from necessity that both alike are entitled to equal civil, political, moral and religious rights, according to the principles laid down in the Declaration of Independence by our ancestors and according to the unmistakable laws of God himself, who is no respecter of persons. No valid argument can be produced against the right of suffrage for the colored man. Prejudice has suggested various objections, such as ignorance, vice, etc. But if the Japanese or Hindoos, who know nothing of our language, customs or institutions, can become sufficiently enlightened in five years to vote, surely the native colored man, after a pupilage of twenty-one years, ought not to be excluded on account of ignorance.



MRS. S. T. D. ROBINSON, 1898.

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"As a peaceable, law-abiding people, according to my observation, they compare favorably with the white race.

"Will the people of Kansas extend the right of suffrage to the colored man? I think they will. A majority of the people of this State are in favor of equal rights to all, as our history demonstrates. At the first constitutional convention, held in Topeka, the politicians believed it would be unpopular to leave out of the constitution the word 'white.' Accordingly, but a few voted against its insertion. Those few are counted out of the Free-State party, and stigmatized as abolitionists by the political weathercocks. The convention to nominate State officers, however, put in nomination these same abolitionists. Not satisfied that this was the voice of the people, a ticket was put in the field called the Anti-Abolition ticket. This failing by a large vote, the weathercocks veered suddenly to the north, where they have remained ever since. The word 'white' was inserted in subsequent constitutions, more to conciliate favor at Washington than to conform to the wishes of the people of the State. As there is no longer any good reason for retaining the word in our Constitution, and as the antislavery men, who were such from education and conviction, are in the majority and will favor striking it out, and as all the political adventurers and demagogues have become for the sake of position more radically anti-slavery than Garrison himself, in profession at least, there will be no difficulty in procuring a two-thirds vote in the Legislature and a majority of the people in favor of negro suffrage."

However much men may differ with Governor Robinson in politics, religion, and public policy, no one who will examine his career can help admiring him as a citizen and a patriot. Industrious in managing his own affairs, he still had time for public service when called to it, and after it was over he went back to the plow more cheerfully than he entered public life. If his defeat for Governor of the State in 1890, or his earlier defeat for Congress, caused him great disappointment, no one knew it. He would rather have been defeated on the Democratic ticket than have been elected on the Republican, because he believed

that the latter was not faithful to its trust. He thought in each case that if elected he could serve his country well. If not elected, it was well. He was not in the ordinary sense an office-seeker, but, like a true patriot of the old school, he was ready to respond to his country's need, and suffer and even die if need be, for his principles, as the history of his life shows.

CHAPTER X.

CONTROVERSIES.

THE life of Robinson would not be complete without an exposition of the various controversies about Kansas history that engaged his attention during the latter years of his life. However, in referring to these the writer makes no attempt to settle them, but merely wishes to point out the attitude which Robinson assumed in the chief controversies concerning early Kansas history. To do this satisfactorily it will be necessary to refer briefly to the causes of some of these controversies, whose chief points turn on the policies and actions of Brown and Lane in Kansas.

In the early period of Kansas history there were Lane and anti-Lane people down to the time of Lane's death in 1866. There was also a variety of opinions concerning the deeds and services of John Brown in Kansas. Whatever value his services were to the cause of freedom in Kansas, he took a different view of the struggle from a large majority of the Free-State men. Lane also represented a radical element of the Free-State party. After the early struggle had passed and the Free-State cause had won, various writers took up the history of the conflict from different points of view and from somewhat partisan standpoints, which brought about many conflicting opinions and led to many controversies.

While the differences of opinion always existed, the real beginning of the controversy was made prominent by the testimony of Gov. Robinson before the select committee of

the Senate, appointed to inquire into the invasion and seizure of public property at Harper's Ferry. This committee carried on its investigations early in the year of 1860. Robinson was summoned as a witness, sworn and examined on February 10th of that year. In this examination Robinson was called to testify respecting the purpose of Brown. He pointed out that Brown had told him that he had not come to Kansas for the purpose of settling at all: "He would never have come there had it not been for the difficulties, and had he not expected those difficulties would result in a general disturbance in the country; and that was what he desired. He desired to see slavery abolished, and he hoped that the two sections would get into a conflict which would result in abolishing slavery." As the examination proceeded Robinson stated further: "I cannot recall his language again; but I understood him that he expected the difficulties there would result in a collision between the North and the South; I understood him to be in favor of encouraging or fanning the disturbances there until that would result. I understood that he thought that was an opportunity to get at slavery in the country and abolish it; and he came there for that purpose, and not simply to operate in Kansas, and for Kansas alone. That is where he and I differed, and we could not agree."

This testimony placed Brown outside of the general policy of the Free-State people in Kansas. In answer to the question as to whether others sympathized with Brown or united with him in this policy, Robinson replied in the affirmative. Pressed for a more definite answer, Robinson named James Redpath as one who favored and abetted Brown in his attempt to get up an insurrection.¹ Further

¹ Report of Senate Committee, No. 278, Thirty-sixth Congress, p. 1.

on in the testimony Robinson stated that "There was a movement got up there at one time to massacre all the pro-slavery men in the Territory." He proceeded to explain that this attempt failed. Further investigation developed the fact that Redpath had been a bitter denunciator of Robinson and of all his followers until he had a falling-out with General Lane; then Redpath made a confidant of Robinson, telling him of Lane's plans. In this interview Redpath told Robinson that, as a statesman, Robinson could not have done differently, but that "they had different objects in view."

This testimony enraged Redpath, excited the Lane men, and disturbed many of Robinson's followers, who feared that he had exposed the Free-State cause to criticism. This testimony called out a bitter attack from Redpath and criticism from other sources, and Robinson took up the pen in his own defense and was able to show that he stated the truth as he was sworn to do. But the real controversy about Brown did not occur until after the statement of James Townsley, one of the men who accompanied Brown in the Pottawatomie massacre, which appeared in the *Lawrence Journal*, December 10th, 1879. It was a firebrand in the camp of Brown's followers and admirers. Townsley gave a detailed description of the massacre, which, as Sanborn said, was in the main correct. It caused people to shudder at the horrors of the affair.

A fierce controversy arose in the following years concerning the policy and services of Brown in Kansas. Rev. David Utter's article on Brown, appearing in the *North American Review*, in November, 1883, aroused a storm of criticism. Utter used vigorous language, calling Brown a

"murderer and midnight assassin." Whereupon Sanborn, John Brown, jr., Hinton and others took up the defense of Brown. Utter was aided in his own defense by many of his friends, who were glad to see the excessive laudation of Brown checked. Robinson was drawn into the controversy, in which he uses vigorous language against those who intentionally or inadvertently perverted history. Finally, induced by a statement in the Springfield (Mass.) *Republican*, by F. B. Sanborn, respecting the Pottawatomie massacre, in which Sanborn, referring to Brown's services in Kansas, asserts "The hour and the man had come," Robinson in 1884 commenced a series of articles in the *Kansas Herald*, on "The Man and the Hour," in which he gives an exposition of early Kansas history, and indicates the part Brown took in the struggle.

In beginning this series of letters, Governor Robinson said:

"My object is not to disparage anyone, but to give my views of the events at this period, with causes and effects as seen from my standpoint. I do not propose to influence public sentiment of to-day, but to put on record facts to be considered by the writers of history fifty years hence. I am more and more convinced that no history of Kansas worthy of the name can be written before that time, for not until then will hero-worship die out and the heroes find their proper level."

Governor Robinson throughout this entire series of letters, though severely critical, was eminently fair in stating the truth from the standpoint of his experience. He thought that the facts were not always given, and consequently history was distorted. While he seemed anxious that a correct understanding of the early struggles of the people of Kansas should be handed down to posterity, and

wrote for that purpose, he was especially indignant at the attempt of certain writers to show that Brown was the chief factor in the battle for freedom in Kansas. The claims that were made, that the blows struck by Brown in his guerrilla warfare saved Kansas to Freedom did injustice to himself and other leaders of the Free-State cause, and he very properly resented them with a very vigorous pen.

It was further maintained by some of the champions of Brown, that victory was won by the savage retaliatory measures, and that the people were protected by the deeds of Brown and his followers. Robinson held in the controversy that these vigorous measures rather increased than diminished the difficulties. However the final judgment of history may determine the value of the guerrilla warfare, the facts of history show conclusively that there was a reign of terror from the Pottawatomie massacre in May, 1856, to the coming of Geary in the following September. Robinson was at Leavenworth at the time of the news of the deed at Pottawatomie, and it caused great excitement there, and was one of the causes which led to the attempt to hang him.

It would be but just to say, however, that the deeds of Brown were not the sole causes of the predatory warfare. Admitting that he inaugurated the fierce war of retaliation which taught the Proslavery people that Free-State men could shoot as well as talk, and fight to the death if need be, in the defense of their cause; recognizing that instead of checking the depredations of lawless bands, he had a tendency to increase them; and that a leading historian is correct in stating that "The news of the horrid affair

spread rapidly over the Territory, carrying with it a thrill of horror such as the people, used as they had become to deeds of murder, had not felt before,"¹ it certainly cannot be claimed that Brown and his followers were the sole cause of the state of anarchy that followed. We must keep in mind the facts that Buford's and Titus's men had arrived from the South with a view of contesting the Territory in behalf of slavery, and to practice a savage warfare; that the people of Missouri had not yet given up the idea of exterminating "Abolitionists" by physical force; that the sack of Lawrence, in which the Free-State Hotel and printing-presses were destroyed and Governor Robinson's house burned, greatly incensed the Free-State men and aroused their fighting qualities; that the arrest and imprisonment of Robinson and other leaders of the Free-State cause increased the boldness of the invaders; and, finally, that the news of the attack on Sumner by Brooks in the United States Senate, on account of the defense of Kansas by the former, added fuel to the flames.

Certain it is, that the methods of the border ruffians prevailed throughout the summer of 1856. Armed bands from Missouri and the South burned homes and robbed and murdered unoffending citizens, and this mode of warfare was met by the Free-State men, who, stung to resistance through the long category of burning wrongs, finally armed for defense. There were hot-headed and reckless Free-State men who were more than willing to meet with armed resistance the cruel attacks of the ruffians of Missouri. While the authorities of the South favored the Proslavery movement in Kansas, there were many noble people

¹ Andreas, p. 131.

in Missouri who opposed the cruel guerrilla warfare. However, in the summer of 1856 the worst elements of ruffianism, urged on by such unprincipled men as Atchison and Stringfellow, came into Kansas and were met and held in check with the utmost difficulty. All through the summer of 1856, settlers were terrorized by the presence of armed bands of Missourians, and these were met by reckless bands of Free-State men. Cabins were burned, depredations committed, and people could travel nowhere in safety. The troubles gradually grew worse, until the strife culminated on the 14th of September by the arrival of twenty-seven hundred Missourians before the city of Lawrence. Had it not been for the timely arrival of Governor Geary, Lawrence would have been destroyed and possibly the Free-State cause permanently lost.

The real point at issue, however, between Robinson and the admirers of Brown, was, that while the latter claimed that the victory was won by retaliatory warfare, Robinson claimed that it was due to the conservative element of the Free-State party, who, through long suffering, avoided open rupture with the Federal authorities. It is well known that Brown advocated open resistance to the authorities, while Robinson opposed it. While Robinson was detained as a prisoner at Leecompton, Brown and also Lane offered to rescue him. Robinson in each case refused to be rescued, because it would bring the Free-State cause into rebellion with the Federal authorities. It is the greatest fact in the history of Kansas, that the conservative policy won and that the final triumph was recorded in the protection of the Federal authorities and the victory at the ballot-box. In all of this, "Governor Robinson stood as the repre-

sentative of the cool, clear-headed, conservative settlers, ready to die if necessary for Freedom, willing and able to save the State at all hazards, but seeking the wisest method of action in order to prevent bloodshed." In speaking of this point, George W. Martin, Secretary of the Kansas Historical Society, in his review of "The Kansas Conflict," says: "The Proslavery men were all Missourians, non-residents and invaders, and the policy of their leaders was to bring the Free-State men in conflict with the General Government. The Free-State men were further embarrassed by the efforts of John Brown to the same end, Brown having acknowledged that his mission in Kansas was to precipitate a conflict between the sections, as he subsequently attempted at Harper's Ferry."¹

One other point of controversy which furnished the ground of resistance of Robinson, was the attitude of writers concerning the Pottawatomie massacre. The deed was so atrocious that the defenders of Brown for a number of years denied his connection with it. Even Wendell Phillips said that Brown was twenty miles from Pottawatomie at the time; Hinton claimed that Brown was thirty miles away; and Redpath also claimed that Brown was twenty-five miles away. Another refuge of some of Brown's admirers was in the assertion that the savage deed was committed by Indians; but, having been obliged finally to admit that Brown was present, the next step was to assert that he was in command but did not commit the crime. However, Connelley, in his recent "Life of John Brown," takes the ground that he was present and in command; hence that he was guilty of the whole massacre even

¹ Kansas City Gazette, 1892.

though he did not strike a blow. The final position of the defenders of this deed is, that it was necessary to terrorize the Proslavery men in order to cause a cessation of hostilities, and to beat back the hordes of Missourians by force of arms in order to save the Free-State cause. All of these points, except the recent version of Connelley, Governor Robinson attacked with a vigorous pen, assuming that they were all wrongly taken.

On the other hand, Robinson was accused of inconsistency because it is alleged that he approved of the Pottawatomie affair when it was committed, and subsequently severely criticized the deed. In answer, Robinson denies having ever approved Brown's work at this massacre, but he did write him a letter dated at Lawrence, September 14th, 1856, commending his work at the battle of Osawatomie. This letter is now in the collection of the State Historical Society of Kansas.

When John Brown brought a letter from Amos A. Lawrence, of Boston, to Charles Robinson, in which it was stated that if Robinson thought Brown was to be trusted he could give him arms and money, Robinson refused to help Brown, because the latter showed by his utterances that he was ready to fight the Federal Government and to precipitate a revolution. That is, the policy of Brown being in direct opposition to the policy of Robinson, the latter was not in sympathy with him. But it appears that in 1878 Robinson wrote to James Hanway as follows: "I never had much doubt that Captain Brown was the author of the blow at Pottawatomie, for the reason that he was the only man that comprehended the situation and saw the absolute necessity of some such blow and had the nerve

to strike it." Again, in the summer of 1877, in a public speech at Osawatomie, Robinson gave expression to similar sentiments; also in 1859-60, in a speech at Lawrence, he is said to have uttered something similar. But, after the testimony of Mr. Townsley appeared, Robinson changed his attitude. From this time on he ceases to praise Brown for the act and to excuse the savageness of the deed. In two letters published in the Boston *Transcript* in 1884, he explains his attitude, and why he changed his opinion. In the *Transcript* of June 12th, he said:

"Until the testimony of Mr. Townsley appeared, many Free-State men apologized for the massacre on the ground that the men killed were worthy of death for their crimes. With these apologies I sympathized, supposing what Redpath and others said was true. This was the testimony on which the case chiefly rested till Townsley's was given. Had Redpath's statements proved true as to the character and conduct of the men killed, I should have continued to apologize for the men who committed the deed, although it never could be justified. But I have now become satisfied that Redpath's account is all fiction, except the statement that the men were killed. I believe these men had committed no crime, and had threatened to commit none. Townsley's statement that Brown wanted him to go up the creek five or six miles and point out the cabins of all the Proslavery men, that they might make a clean sweep as they came down, shows conclusively that he was ready to kill any Proslavery man, guilty or not guilty, and hence shows that his purpose was to inaugurate war, and not to make a free State."

In the same paper on August 15th he expressed himself as follows:

"For Mr. Sanborn's information, I will say that I entertain no malice toward his hero, having apologized for him probably a thousand times, and never lifted a finger to oppose any honors to his memory by the State or nation. While I believed the men butchered were bad men, belligerents as described by Redpath and others, I excused the killing as best I could, and contemplated writing out a

statement to be filed with our Historical Society, setting forth the outrages committed by these and similar men. But before I found the time to write this statement I became satisfied from new and conclusive evidence that these men were innocent of all crime or threatened crime, and that their taking-off was not intended for the protection of the Free-State men from their outrages and such as theirs, but was intended by Brown as an act of offensive war. When I became satisfied on these points, I abandoned the work and ceased apologies for Brown."

While the whole Brown controversy engendered bitter feelings on the part of some of those engaged in it, that feeling is practically gone. While there were many misunderstandings and misrepresentations concerning the facts in the case, it is but just to say that those engaged in the controversy really intended to give truthful representations of the case from their own standpoint. Many errors were corrected and points of discrepancy removed by the controversy. Every one now sees with a clearer vision the full import of Brown's presence in Kansas, and understands more thoroughly the reason for Robinson's attitude toward him. Here, as elsewhere, Robinson is honest in his convictions, and acted conscientiously in his changing views of the situation, evidently brought about by more light upon the subject, and possibly, too, by the admirers of Brown who persistently held to what Robinson deemed false positions.

At any rate, it must be remembered that Brown had no intention of becoming a citizen of Kansas, but that he came to Kansas incidentally to help his sons fight their battles, and, purposely, to use Kansas as a lever to move the walls of slavery. One only need follow his course to be convinced of his object. He was at Lawrence during the Wakarusa War, which occurred in the autumn of 1855.

He held full command at the Pottawatomie massacre in May, 1856. He was with the expedition which captured Fort Saunders and at the attack at Fort Titus,—two of the Proslavery strongholds. He assisted in the capture of Captain Pate near Black Jack, and rendered other assistance at Osawatomie. He was also with the expedition that went to Lecompton, and had a small force near Topeka, July 4th, 1856, when Col. Sumner dispersed the Free-State Legislature. He was at Lawrence at the threatened attack in September, 1856, but soon after left Kansas, and did not return until November, 1857. In September, 1857, he was in Tabor, Iowa, with arms and ammunition which Lane and Whitman were urging him to bring forward with all possible speed, but this he could not do for lack of funds. He was in the Territory only a few days in 1857, but returned again in January, 1858. In December of this year Brown made a raid into Missouri, destroying property and liberating slaves. It appears that there were two divisions of the men in this raid, Brown commanding one. The division which he did not command, shot and killed a slave-owner.

George A. Crawford saw Brown after this raid, and remonstrated with him for such conduct. Crawford told him that Kansas was at peace with Missouri, and that Free-State men composed the Legislature and were making the laws. He pointed out to Brown that even in the disturbed counties of Linn and Bourbon the Free-State men were in the majority and had elected the officers, and that without peace no immigration would come from the North or the South. Soon after his Missouri raid, on December 20th, 1858, Brown left Kansas, dropped from view for a

short time, and then made his attack on Harper's Ferry. While Brown was absent from Kansas in the intervals of 1856-57-58, he was procuring arms and ammunition and maturing plans for his subsequent raid on Harper's Ferry.

No writer would attempt to detract from the mysterious power of John Brown, nor take from him his legitimate place in American history. He was bold, courageous, and even fearless in his attacks upon slavery, and he demonstrated that he would fight and die for what he believed to be right. Without doubt he hastened the final struggle between the North and the South, and by his Harper's Ferry attack became a national character. But the real points at issue are the extent of his services to the Free-State cause, and his real position in Kansas history. Some have held that his presence in the Territory was of vital importance to the Free-State movement, and that he was the real spirit of the Kansas struggle. Others have held that he was a detriment to the cause of freedom in Kansas, because his policy was directly opposite to the policy of the conservative element which finally won. A third group of writers are willing to concede a real service to Kansas, but hold that Brown's movements were of minor importance to the chief events which made Kansas a free State, and that his actions had a tendency to make war rather than to establish peace.

The Free-State men were often in a quandary whether to take the field in open war or to follow a policy of non-resistance. In the summer of 1856, with the conservative leaders in prison or out of the Territory, and Lane and Brown left at large, both of whom believed in a policy of war, the battles of this season were inevitable. But, even

throughout the summer, the point that saved Kansas was the avoidance of open contact with the Federal authority. Had either the Lane or Brown policy been followed, an open rebellion would have occurred, which, although it might have plunged the nation into civil war, could not have established a free State in Kansas unless following the general results of a national strife.

The attitude of the friends of James H. Lane in showing his great service to the State, and the injustice which Robinson had suffered at the hands of Lane while the latter was United States Senator, made Robinson ever ready to take up his pen and wield it unmercifully against all attempts to make Lane the hero of Kansas. It is well known that Lane frequently advised open war. He held that the invasion from Missouri creating the "bogus Legislature" and the Constitutional Convention, was, to use his own words, "an act of war, actual war." Hence he advised the destruction of the convention by force of arms. Robinson took occasion to show up Lane's military filibustering and political inconsistencies. In his Kansas Conflict "he makes of Lane a braggadocio, disturber, and a trimmer." Yet he recognized Lane's services in the Wakarusa War. Subsequently, Lane's vaulting ambitions and wild schemes caused much uneasiness to Robinson and other conservative Free-State men.

Joel K. Goodin, as secretary of several conventions and of the Free-State Executive Committee, had much to do with the shaping of affairs in Kansas, and he well knew the movements from the beginning. Under date of November 30th, 1881, he writes: "We in the country had to undergo many severe privations in running after Lane's

orders, messages and commands as self-imposed military dictator. . . . For years I could not agree with him, and was constantly in his way in the Executive Committee, thwarting his ridiculously impracticable, reckless and extravagant, and sometimes atrocious plans and suggestions." In his speeches and writings, and especially in "The Kansas Conflict," Robinson took occasion to point out what would have been the evil consequences from following Lane's erratic course. One can discover the undercurrent of bitterness mingled with grim humor in all of Robinson's criticism of Lane. Being without fear himself, and believing Lane to be cowardly, he appeared to take delight in showing up Lane's frailties. Mindful, too, of Lane's political intrigues toward him, Robinson was unmerciful in his attacks upon these. He not only showed that Lane was not the man who saved Kansas, but that Lane detracted somewhat from the real Free-State cause.

After the intense and heated discussions which appeared early in the eighties, the historical horizon was cleared of controversy for a time, but a later renaissance of Lane and Brown since Robinson's death has brought the whole subject once more to public view. One of the latest criticisms of Robinson was given by Col. T. W. Higginson, in the *Atlantic Monthly* for May, 1897, under title of "Cheerful Yesterdays." He says:

"I formed a very unfavorable impression of Governor Geary and a favorable one of Governor Robinson, and lived to modify both opinions. The former, though oscillating in Kansas, did himself great credit afterwards in the Civil War; while the latter did himself very little credit in Kansas politics, whose bitter hostilities and narrow vindictiveness he was the first to foster. Jealousy of the influence of Brown, Lane and Montgomery led him in later years to be chiefly

responsible for that curious myth concerning the Kansas conflict which has taken possession of many minds, and completely perverted the history of the State written by Professor Spring,—a theory to the effect that there existed from the beginning, among the Free-State people, two well-defined parties,—the one wishing to carry its ends by war, the other by peace; as a matter of fact, there was no such division."

It is fortunate that Col. Higginson used the word "impression" in the heading of this paragraph, as it would scarcely do for serious history. As the record of Geary in Kansas, as well as in California, in the Civil War, and in Pennsylvania, is marked by direct and straightforward conduct, Col. Higginson could not have been a very keen observer in regard to Geary's service when he speaks of his "oscillating in Kansas." As to his favorable impressions of Governor Robinson, he had an opportunity to judge of the character of the man, as he met him soon after Robinson was released from the prison at Lecompton, and he saw him subsequently in Boston and New York. It is not surprising that Col. Higginson formed a favorable opinion of Robinson at that time, for he was loved and respected by all who knew him, except his enemies, and even they had a wholesome respect for his manly course. It is evidently the John Brown controversy that caused Col. Higginson to change his impression. Robinson must have been too severe in his attack on Higginson's idol. It is certainly not historical to assert that Robinson was the first to foster "bitter hostilities and narrow vindictiveness."

But there are other impressions of Mr. Higginson which seem to be erroneous. In 1879, soon after the Quarter-Centennial Celebration of Kansas, he said in a letter to the *Boston Transcript* that the crisis in the struggle between

freedom and slavery for the possession of Kansas occurred in 1856, and that freedom owed its success to the leadership of Lane, Brown, and Montgomery. It is true that the military crisis did occur on the 14th of September, 1856, when twenty-seven hundred Proslavery men approached Lawrence for the purpose of destroying it; and the appearance of Geary with Federal troops saved the cause. Lane left the country on the 11th of September, going North and East, and not returning to Kansas until the spring of 1857. Montgomery did not figure in the Kansas conflict until after this, and his principal work was done long after Col. Higginson said the crisis was reached. In any event, there was no occasion for Governor Robinson to be jealous of him. Montgomery and Brown both continued fighting until after the conservative policy of the Free-State men had won the victory, and the Free-State men were obliged to beg them to desist. Further, Col. Higginson holds Robinson responsible for the "curious myth concerning the Kansas conflict," that there were two well-defined parties, "the one wishing to carry its ends by war, and the other by peace." Every one conversant with Kansas history knows that there were two distinct policies urged by the radical and conservative elements, respectively, of the Free-State party in Kansas; and this is all that Governor Robinson ever maintained. There were different groups adhering more or less determinedly to each policy. Let any person follow the history of conventions, the actions of the Free-State men, the desires of some to make war on the Federal Government and to precipitate a rebellion, and the attempts of the conservative party to prevent it, and he will be easily convinced of the facts in the case.

The history of Kansas by Professor Spring is not a myth, nor does it deal in myths. There are some errors in it, mainly of point-of-view and proportion, but the writer was a careful scholar, who searched the records far and near for material, and endeavored to give an accurate account of affairs without fear or favor. Governor Robinson had nothing to do with its creation, except as he was a maker of history. "The Kansas Conflict," written by Governor Robinson, is not a myth any more than a modern battleship, bristling with guns and opening on the enemy, is a myth. It is wonderfully backed by the bulwarks of truth and historical fact. It may be a bit partisan in spirit, for it does not pretend to be a complete history of Kansas, but to deal with special phases of the conflict from Robinson's point of view. It must be admitted by all, that the book is sufficiently pungent and critical toward those who misrepresent or seek to distort history. The course of Lane in Congress, the revelations of Brown's course in Kansas, and the persistent course of certain writers who seemed to have obtained wrong impressions, were sufficient to arouse the antagonism of the War Governor of Kansas, who hated shams and grieved at the distortion of the truth.

In 1884, thirty years after the struggle began and sufficient time having elapsed for the truth to become fixed, before the publication of Spring's "Kansas" and before the publication of "The Kansas Conflict," Governor F. P. Stanton, who was well acquainted with Kansas affairs, stated at the Old Settlers' Meeting at Bismarck Grove, as follows:

"I was not in the counsels of the Free-State party, and knew their designs only through their public avowals. It is well understood, I

believe, that they were divided in opinion. One party in the convention, under the lead of J. H. Lane, was in favor of extreme and violent measures, and proposed to put the Topeka Government into immediate operation; the other was understood to be headed by Governor Charles Robinson, and to advise a more moderate line of policy, being so far willing to confide in our pledges as to try their strength at the polls in the October election. There was a bitter contest between the two sections of the Free-State party, and according to our information there was imminent danger that the Lane party would prevail.

"But at any rate, the counsels of the moderate men prevailed. The extremists were withheld from the execution of their dangerous designs, and the masses of the Free-State party were induced to participate in the October elections, and thus get control of the Territorial Government instead of embarking in a rebellion against the United States.

"You placed Mr. Buchanan and his administration and all these Democrats who supported him in the wrong, and thus placing them in the wrong before the eyes of the whole world, you were enabled to defeat them and break them up."

After a careful review of the whole controversy, a fair estimate of the situation would seem to be as follows: Brown sought the liberation of the slaves, and endeavored to use the Kansas trouble as a means of forwarding his plan of bringing about a conflict between the North and the South. Incidentally, he performed certain services in the struggle for freedom in Kansas, which must always be acknowledged. His policies were not adopted by the Free-State party. Lane's political ambition was the ruling passion of life. In his attempt to satisfy it he also performed services in the struggle for freedom. His plans were frequently thwarted by the Free-State people. Robinson was the original leader of the conservative group of Free-State people who wished to build up a free commonwealth by settlement and development of industries, voting, and non-

resistance to Federal authority. The policy of the conservative element won, but this fact must not ignore the political services of Lane nor the independent warfare of Brown. While they differed in policy and plan from the conservative element of the party, still, at times, they strengthened the cause of freedom by enthusiasm or courage, and taught the Free-State people, by warlike methods, to resist invasion. But, in acknowledging the services of Brown and Lane, it must be maintained that it was the constraint placed upon them by the conservative element which made their services valuable. The life of John Brown has been a favorite theme of his admirers, and has never failed to awaken an interest among the American people; but there is no American character about which there is such a diversity of opinion. By some he has been placed alongside of Jesus Christ, by others he has been portrayed as a murderer, a liar, and a thief. Owing to the enthusiasm of sentiment, his historical position has never been permanently established. It is safe to say that it will be found between the extreme views of his enthusiastic admirers and his detractors.

However, progress is being made in historical judgment. In 1860 there was published "The Life of John Brown," by Redpath, which aroused considerable controversy. In 1880 came the "Reminiscences of Old John Brown," by G. W. Brown, M. D., a scathing criticism on his life and services. In 1885 Spring's "Kansas" aroused much controversy, and in the same year appeared "The Life and Letters of John Brown," by F. B. Sanborn, in which Brown appears at his best. Then, in 1892, was published "The Kansas Conflict," by Charles Robinson, which is a severe

criticism of Brown and his methods. This was followed by "John Brown and His Men," by Richard J. Hinton, in 1894. Subsequently both Rhodes and Burgess gave impartial historical representations of Kansas history. But the most recent specific work on Brown is that of William E. Connelley, which occurred in 1900, and which, in many respects, is superior to the hero-worship of former days. But there are evidences that the final word has not yet been uttered, although it would seem that the subject had received undue attention at the hands of American writers.

What is especially needed is the elimination of the personal element of history and the abandonment of historical tradition. Also, a careful discrimination should be made between the feelings and sentiment of the people, and a careful measurement of historical facts. While Governor Robinson gave his version of certain affairs, a version which he deemed to be correct, and usually was found so, his contributions to history were limited to certain phases of the struggle. Nor did he ever pretend to write a complete history of Kansas; but without his writings and his vigorous controversies it would have been exceedingly difficult to give a correct idea of the Free-State cause and the attitude of the leaders of the Free-State party. The controversies carried on by himself and others have helped to form a true estimate of his life and character, and throughout it all his importance to Kansas History has been shown to be greater as historical truth becomes dominant.

CHAPTER XI.

PROMOTER OF EDUCATION.

DR. ROBINSON was early identified with the educational affairs of Kansas, and he never lost interest in them throughout his busy life. Like other patriots seeking to develop free government and a commonwealth composed of liberty-loving people, he recognized the necessity of education to the perpetuation of free institutions. He knew well that the foundations of the Republic are rendered secure only through individual life and character developed by means of liberal education. Moreover, he understood how essential were educational opportunities to attract substantial families to a new community. He was not wanting in foresight in building up a new community, and therefore he took every available opportunity to advance the cause of education. But what was still more to his credit as a fine specimen of manhood, he felt a keen interest in the lives and personal success of individuals, and especially did he feel for those who needed help. Believing in the necessity of education, he was prepared to start a school at the earliest opportunity.

It is not surprising, then, that the first school in Lawrence was in Dr. Robinson's back office in the Emigrant Aid Building, which stood a little north of where now stands the Lawrence National Bank. It was begun January 16th, 1855, by Edward P. Fitch, of Hopkinton, Massachusetts, less than six months after the arrival of the first group of emigrants from New England. There were about twenty

pupils; the teacher was paid by private subscriptions. In the spring of 1855 there accompanied Dr. Robinson from the East Miss Kate Kellogg, who came to teach the summer and autumn school. She began to teach on June 16th, in the same building, her salary being paid by Dr. Robinson. A third term in the Emigrant Aid Building was taught by Miss Lucy M. Wilder, who was teaching when the town was entered by border ruffians in 1856. Her school was scattered that day, but was soon reassembled when quiet was restored. In the summer of 1856 Miss Henrietta Ross, from Massachusetts, opened a school over Faxon's meat market. In the following year, on March 30th, the Quincy High School was opened in the Emigrant Aid Building, and on the second of April was moved to the basement of the Unitarian Church. This school was taught by C. L. Edwards, who conducted the public school in 1857-'58, assisted by Lucy M. Wilder, Sarah A. Brown, Lizzie Haskell, and in the primary by Miss Oakley. The fall term opened September 6th, and continued twelve weeks, the winter term being opened December 13th, with Miss Haskell and Miss H. M. Felt in the High School.

In September, 1863, after the Quantrell raid, which occurred August 21st, Misses Mary and Caroline Chapin came to Lawrence, and opened a school for girls in the following winter. Dr. Robinson and George W. Deitzler paid the tuition of several pupils in this school. Mrs. S. T. D. Robinson writes charmingly of the entrance of the Chapin sisters into Kansas:

"Mr. Charles Chapin had a very pleasant home in Quindaro, and his sisters, Mary E. and Caroline E., came occasionally from Milwaukee, where they had founded the Milwaukee Female College, to visit him. It had been in successful operation for seven years, when,

responsible for that curious myth concerning the Kansas conflict which has taken possession of many minds, and completely perverted the history of the State written by Professor Spring,—a theory to the effect that there existed from the beginning, among the Free-State people, two well-defined parties,—the one wishing to carry its ends by war, the other by peace; as a matter of fact, there was no such division."

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freedom and slavery for the possession of Kansas occurred in 1856, and that freedom owed its success to the leadership of Lane, Brown, and Montgomery. It is true that the military crisis did occur on the 14th of September, 1856, when twenty-seven hundred Proslavery men approached Lawrence for the purpose of destroying it; and the appearance of Geary with Federal troops saved the cause. Lane left the country on the 11th of September, going North and East, and not returning to Kansas until the spring of 1857. Montgomery did not figure in the Kansas conflict until after this, and his principal work was done long after Col. Higginson said the crisis was reached. In any event, there was no occasion for Governor Robinson to be jealous of him. Montgomery and Brown both continued fighting until after the conservative policy of the Free-State men had won the victory, and the Free-State men were obliged to beg them to desist. Further, Col. Higginson holds Robinson responsible for the "curious myth concerning the Kansas conflict," that there were two well-defined parties, "the one wishing to carry its ends by war, and the other by peace." Every one conversant with Kansas history knows that there were two distinct policies urged by the radical and conservative elements, respectively, of the Free-State party in Kansas; and this is all that Governor Robinson ever maintained. There were different groups adhering more or less determinedly to each policy. Let any person follow the history of conventions, the actions of the Free-State men, the desires of some to make war on the Federal Government and to precipitate a rebellion, and the attempts of the conservative party to prevent it, and he will be easily convinced of the facts in the case.

Union, for the foundation of public schools crowned with a university, made it possible for them to make early beginnings in the higher education. Those who were thoughtful for the welfare of the new town of Lawrence, and in fact for the new commonwealth of Kansas which was being built, earnestly advocated the establishment of schools. Mr. Lawrence, after whom the town was named, was a far-sighted, practical man, and he saw that in establishing schools in the Territory of Kansas he would be laying the foundation of a power for freedom greater than the force of arms.

As a foundation of this Free-State college, Mr. Lawrence gave the sum of \$10,000, which was in the form of two interest-bearing notes. This fund was to accumulate until it had become sufficiently large for the foundation of a school. On February 14th, 1857, Mr. Lawrence constituted Charles Robinson and S. C. Pomeroy trustees of this fund, amounting then to \$12,696.14, for the purpose of advancing education and religion in the Territory. The following is a copy of the letter of trusteeship:

Boston, February 14th, 1857.

To Messrs. Charles Robinson and S. C. Pomeroy, Trustees —
GENTLEMEN: Inclosed with this are two notes of five thousand dollars each, of the Lawrence University, of Wisconsin, which, with the interest added, amount to eleven thousand six hundred and $\frac{1}{100}$ dollars as of to-day; also a certificate of stock in the New England Emigrant Aid Company (par \$2,000), worth one thousand dollars or more at the present time;—in all, twelve thousand six hundred and ninety-six dollars and fourteen cents, which has been transferred to yourselves to be held by you in trust, and the income to be used for the advancement of the religious and intellectual education of the young in Kansas Territory. Until I shall give directions to the contrary, I wish one-half of the income to be applied to the establishment of the best system of common schools, by organizing in every

settlement those who shall be in favor of its adoption, as soon as the school funds shall be received from the United States Government; also, by giving aid to a school in Lawrence which shall serve as a model to others. The other half of the income to be used for the establishment of Sunday schools and furnishing them with the books of the Sunday School Union, of Philadelphia. In the event of my decease without giving any other directions than the above, I wish the fund to be used in the manner designated by me in a letter to Rev. E. Nute, Dec. 1st, 1856.

The state of your laws prevents me from making a formal instrument of trust at this time, and I have only to say that by accepting the office of trustees you will confer a favor on me, while you will be serving the interest of the Territory in which we have all taken so much interest, and for which you have endured and risked so much. I rely implicitly on your honor to retain the property in your safe-keeping, and to carry out the plan herein specified. In the event of your resignation of the office of trustee at any time, or your removal from the Territory, I wish for the privilege of appointing your successors. Hereafter, I may give my views more in detail. You can draw on the treasurer of the Lawrence (Wisconsin) University at any time for a year's interest, in any one year. I have refrained from drawing, because they have required all their funds for their new building. Recently one building has been burnt, and on this account, as well as from a desire to prevent all embarrassment to the institution, I wish that the payment of the principal sum may not be urged, so long as the interest is received. If Kansas should not become a "Free State" as soon as admitted to the Union, I wish the property returned to me or my heirs.

Your obedient servant,

AMOS A. LAWRENCE.

It is thought by those who know of the confidential relations of Charles Robinson to his particular friend, Mr. Lawrence, that it was Dr. Robinson's suggestion and influence which put it in the mind of Amos A. Lawrence to lay the foundation of a college. Possibly they were both inspired with the same thought, yet it is well understood that Amos A. Lawrence was greatly interested in the foun-

dation of the State in the name of freedom. He was an antislavery man heart and soul, and he used his wide influence to aid Kansas in her early struggles. In a memorial service held in his honor at Lawrence in 1886, Governor Robinson said of him:

"Upon the 22d of last August, in a little town¹ in Massachusetts, ended a life full of benediction and goodness. Kansas has especial reason to mourn the loss of this great philanthropist. When slavery was threatening to encroach upon the virgin soil of Kansas, Eli Thayer sounded the alarm. Amos A. Lawrence was one of the first to enlist in the cause. As treasurer of the Emigrant Aid Association he contributed greatly to the financial needs, but still more was the moral weight which his name and well-known ability added to the side of freedom. He supplied the money with which to buy guns to beat back the proslavery army which was invading the soil of Kansas. In the agitation which spread over the North, Mr. Lawrence played a most important part. He stood in close relationship with President Pierce, and Amos A. Lawrence did more than any other man to secure the release of prisoners held for treason and to procure the order withdrawing the Missouri army from before Lawrence, thus not only saving this city, but also the other towns of Kansas. Mr. Lawrence gave ten thousand dollars endowment to a college at Lawrence. On account of this the State University was located here and Lawrence was made the pleasant and prosperous city it is. His name will be known and honored as one of the non-residents who took the most interest and did the most work for our State."

Gov. Robinson might have added that when the congregation of Plymouth Church was weak and struggling, Mr. Lawrence gave one thousand dollars toward the erection of a suitable house of worship.

In every effort toward the foundation of schools, no matter who originated the movement, Governor Robinson was a prominent supporter. First an attempt was made by the Presbyterian Church of America to found a university at

¹ Brookline.

Lawrence. The board of directors was formed for the organization of this college. Charles Robinson was among the number of trustees. Appropriate committees were named, and a plan was made for the erection of a building 36x60 and two stories high. This was desired as a wing of the main building, the total to cost \$50,000. A good deal of interest was manifested in this matter, and a bill was introduced into the Legislature in 1859, chartering the Lawrence University, with a board of trustees. Under this charter the board met January 22d, 1859, and proceeded to the organization of a university. They elected officers, established chairs, chose professors, and also established a medical department. The trustees of the city of Lawrence offered a quitclaim deed to the trustees of the Lawrence University, on condition that a building should be erected at Lawrence one year from date, and that a school should be commenced six months from date. The trustees failing to comply with these conditions, the property would revert to the city of Lawrence. By a bit of shifting and advertising, the Quincy High School was made preparatory to this Lawrence University, and this preparatory school was opened in the basement of the Unitarian Church; but, after continuing three months, it failed for lack of patronage.

About this time the Congregational Church of Kansas determined to establish a college in Kansas Territory. Accordingly, steps were taken to found the Memorial College, at Lawrence, to commemorate the triumph of liberty over slavery in Kansas. Dr. Charles Robinson was a member of the board of trustees of this institution, and the trustees of the "Amos A. Lawrence fund," with the consent of the

giver, signified their willingness to make over this fund to the Memorial College, on condition that the Congregational Church should have control of the institution. The undertaking failed on account of the drouth of 1860 and hard times. In the mean time the Presbyterians had been pushing forward their work as rapidly as possible, but the hard times and other discouragements caused them at last to give it up. However, the people of Lawrence, being unwilling to see the plan of Lawrence College given up, organized a new board of trustees, of which Charles Robinson was a member, and a new institution was chartered by the Territorial Legislature of 1861. This was under the auspices of the Episcopal Church. The new institution was called the Lawrence University of Kansas. The Presbyterians surrendered their university building to the Episcopalian University. But the Civil War came on and interfered with the work, and nothing more was done for several years. Subsequently, when the State University was founded, the claims of the Episcopal Church were given to it.

At the time of the foundation of the various charitable and educational institutions of Kansas, each prominent town tried to secure the location of one or more institutions. Lawrence, on account of the part it had borne in the early struggle for freedom, the relation of Amos A. Lawrence to the town, and his gift to form a Free-State college, had just claims to the University. By history, educational traditions, service and sufferings in the cause of freedom, the town was entitled to this distinction. A strong opposition to this claim of Lawrence, however, was offered by the town of Manhattan. The citizens of Manhattan as-

serted that the Methodists had already established there a school called Bluemont College, which could be used as a foundation for the University. A bill establishing the University at this place passed both houses of the Legislature in 1861, but it was promptly vetoed by Governor Robinson. Subsequently the Agricultural College was located at Manhattan, and Lawrence lost her first rival for the coveted prize. But another rival, in Emporia, soon appeared, and in the Legislature of 1863 a bill was introduced, locating the University at Emporia. The late Judge J. S. Emery, of Lawrence, finally moved to substitute the word "Lawrence" for "Emporia," and the bill passed to a vote which resulted in a tie. The presiding officer, Hon. Edward Russell, of Doniphan county, decided in favor of Lawrence. The bill then passed the Senate, and became a law by the signature of Governor Carney, February 20th, 1863. Thus was won, not without a struggle, the University of Kansas to Lawrence, whose citizens began earnestly to fulfill the conditions of the law establishing it on a sure foundation.¹

One of the provisions of the bill for the location of the University was that a site of forty acres should be donated by the town where it was located; and another provision was that an endowment be made of \$15,000, \$5,000 of which was to be deposited with the Treasurer of State within six months after the passage of the bill; otherwise the provisions of the act should be null and void. At this point Charles Robinson came forward with a proposition to furnish the required forty acres from his land outside of the city, on condition that the Council would deed to

¹ Laws of 1863, p. 115.

him half a block of land south of the school foundation on Mt. Oread. The proposition was accepted, and Robinson secured to the State the transfer of what is now the University campus. Twenty-one acres of this land, lying south of the claim which Dr. Robinson had preëmpted, belonged to Mrs. Robinson, she having purchased it from J. F. Morgan. For her share of this land Mrs. Robinson received \$600 from the citizens of Lawrence. Subsequently, Governor Robinson gave an additional ten acres of land to the University without qualifications.

It was more difficult to secure the endowment of \$15,000, as this was a large sum in those days of small beginnings. The "Amos A. Lawrence fund," hitherto mentioned, was turned over as an endowment to the new University, but, being in the form of notes, it was difficult to cash these securities without considerable delay. Although this amount could not be collected, the interest, amounting to \$4,400, was available. Mr. Lawrence offered \$10,000 cash for the two notes, and the remainder of the fund could be raised from a note of \$600 held by Governor Robinson against the Congregational Church at Lawrence, this sum arising from interest on the fund. But not any of these funds except the \$4,400, as mentioned above, were available in time to meet the requirements of the legislative act. At this juncture the citizens of Lawrence came forward and gave their note for \$5,000, the required amount. Then came the Quantrell raid, on August 21st, in which the citizens of Lawrence lost their property, and this rendered the security of the note void. Governor Carney, of Leavenworth, met the emergency by cashing the citizens' note. This made it possible to secure the deposit sufficient to

locate the University at Lawrence, which was formally done by the Governor on November 2d, 1863.

As soon as the bill, locating the University at Lawrence, became a law, the Governor appointed a commission consisting of S. M. Thorpe, Josiah Miller, and I. T. Goodnow, to select a site and report to him on or before the 1st day of May, 1863. They performed their work to the satisfaction of all concerned, and gave in a report within the allotted time. In 1864 a bill was passed organizing the University, Charles Robinson being made a member of the board of trustees.¹

The board of regents began the organization of the University on March 21st, 1865, by electing Rev. R. W. Oliver as chancellor, and on motion of I. T. Goodnow it was decided to open a preparatory school. Steps were taken to complete the building begun by the Presbyterians, known as North College. There was much difficulty in collecting sufficient funds for this, but finally enough was obtained, from several sources.¹ The land on which this building stood, with the exception of two and three-fourths acres belonging to the city of Lawrence, came into the hands of the regents as a gift of the city. The remainder was secured by bond for deed to James H. Lane, who subsequently made a generous gift of the land to the University.

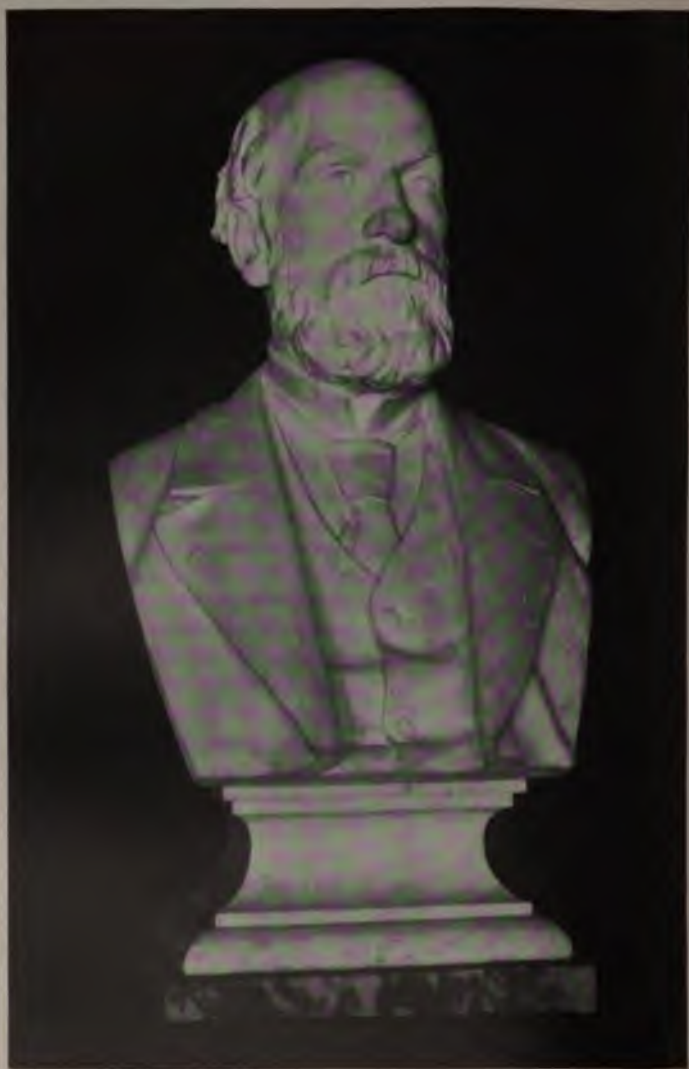
¹In the organization of the University, provided by the law of 1864, the members of the first Board of Regents were as follows: Charles Robinson, J. D. Liggett, E. J. Mitchell, Geo. A. Crawford, J. S. Emery, A. H. Horton, O. B. Lines, S. O. Thacher, Geo. A. Moore, John A. Steele, John H. Watson, and Samuel A. Kingman. But before the Board held its first meeting, on March 21st, 1865, the membership had been greatly changed, being composed of Robinson, Liggett, Emery, Thacher, Lines, as above, and E. M. Bartholomew, O. K. Holliday, G. W. Paddock, W. A. Starrett, D. P. Mitchell, J. S. Weaver, with I. T. Goodnow, Superintendent of Public Instruction, and R. A. Barker, Secretary of State, as *ex officio* members.

²It consisted of \$800 on Congregational note; \$4,720 interest collected on Amos A. Lawrence notes; \$1,000 interest on endowment fund, Amos A. Lawrence notes; St. Louis relief fund, \$9,800; Boston relief fund, \$2,500; Carney relief fund, \$1,000.

It was not until July 19th, 1866, that the first faculty, consisting of Prof. D. H. Robinson, E. J. Rice, and F. H. Snow, were elected. Professor D. H. Robinson spent the remainder of his life in the service of the University, passing away in 1896. Professor Snow has given thirty-four years of service, twenty-four as instructor and ten as chancellor. Prof. E. J. Rice resigned his position in 1867. It was through the influence of Governor Robinson that Professor Snow was chosen for the place. Time has shown that in this he acted wisely, as Chancellor Snow has been of eminent service to the University and to the State as an educator, and especially as a scientist. From the opening of the first session, during which twenty-six young ladies and twenty-nine young men were enrolled, to the present time, Chancellor Snow has been a devoted servant of the University and woven his life into its very being.

From this beginning of the University to the time of his death, Governor Robinson, with the exception of a short interval, was a regent of the University. He watched over it from the beginning, through its early and later struggles and its steady growth. It has advanced from the humble position of a preparatory school with a few students and three instructors to a magnificent institution of 1,200 students and over seventy instructors, with schools of Arts, Law, Medicine, Engineering, Pharmacy, and Fine Arts, the pride and strength of the State. As regent, Governor Robinson served on the building committee in the construction of the first main building, Fraser Hall; and he occupied many other important places in relation to the building of the University.

In 1889, in recognition of his eminent services to the



BUST OF ROBINSON, IN THE UNIVERSITY CHAPEL.

University and the cause of education, as well as on account of his acknowledged ability in many directions, the board of regents conferred upon him the honorary degree of Doctor of Laws. This was an unusual act for the regents, as it was the first and last honorary degree of the kind ever issued. Governor Robinson was not a member of the board when it was granted. Another worthy tribute to Governor Robinson in recognition of his educational services was given by the Legislature of Kansas in 1895, when it passed an act to appropriate \$1,000 for a bust of ex-Governor Robinson, to be placed in the University chapel. In accordance with this act, Governor John W. Leedy appointed Mrs. Sara T. D. Robinson, Hon. B. W. Woodward, and Charles Chadwick, Esq., members of the commission to select an artist to execute the bust. They secured as artist Mr. Lorado Taft, whose work was accepted. At the unveiling of this marble bust, which now stands at the left of the organ in the chapel, appropriate services were held, during which Hon. B. W. Woodward, representing the committee, Hon. Chas. F. Scott, representing the regents, and Governor John W. Leedy, representing the State, made appropriate speeches. Perhaps the address of Charles F. Scott was as true an estimate of Governor Robinson as ever escaped the lips of man. So clearly does it picture the principal phases of his life and character, that it is quoted to considerable length, as follows:

"The story of the life of Charles Robinson is so familiar here, where the greater part of that life was lived, that it need not be rehearsed. It is a heroic, almost romantic story. It is the story of a MAN, a man who took early a man's place in the world and held it staunchly and sturdily to the end. I trust I shall not be misunderstood when I say it is the story of a fighter, a man so constituted

that he must take one side or the other of every question upon which men divided; and who, having chosen his ground, must maintain it earnestly and aggressively against every challenger. It is the story of a wise counselor, of one whose brain was always cool and clear, no matter what fires might be flashing from the blue eyes.

"As nearly as any man I ever knew, Charles Robinson deserved the tribute which the Laureate paid to the Iron Duke when he said of him that he 'stood foursquare to all the winds that blew.' He came as near standing by himself, balanced by his own judgment, requiring no strengthening support from other men either as individuals or as aggregated into parties or churches or societies of any kind. At various times in his life he worked with various political parties, but when the particular object of the work was accomplished, he put the party aside, apparently with as little concern as he would lay down a tool that he was done with. The fear of being called inconsistent never troubled him. In fact, no fear of any kind, either moral or physical, ever troubled him. He said what he thought ought to be said with as small regard to consequences as he did what he thought ought to be done. And if the words of to-day contradicted those of yesterday, that did not concern him, for the words of both yesterday and to-day were honest words. He did not know what policy meant, so far as the word might be applied to his own fortunes. He knew, doubtless, as well as everybody else knew, that he sacrificed all the political honors which a grateful and admiring people would have been proud to bestow, when he severed his connection with the dominant party. But the thought, if it occurred to him, never bade him a moment's pause.

"Men of the ancestry and mold and temper of Charles Robinson do not have to hold public office in order to be a part of the public life of their community or commonwealth. More than thirty years before his death, Governor Robinson laid down the only executive office he ever held, and retired to his farm; but as a private citizen he was hardly less a factor in the affairs of the State than he had been as its chief executive. As a contributor to the newspapers and a frequent speaker at the hustings and on the platform, he contributed his share to the discussion of the questions that during all those thirty years made Kansas the most interesting spot on earth, writing and talking, not to gain some personal end, but because the convictions within him must have utterance."

At the close of his eventful life Governor Robinson left

the greater part of his fortune as a gift to the University, which he had nourished in its infancy, supported with vigor in its youth, and which he saw in his own declining years begin to assume the full stature of vigorous life. He had in mind a university for the people, and held that this was the only kind the State could support. During the latter years of his regency he grew impatient of the methods and policy of the University, and finally resigned, —partly because of ill-health, and partly because he felt out of harmony with the University methods. Perhaps he was thinking of the old style of college as a type rather than the modern university which has grown up in the last few years. He also seemed to feel that the University was growing away from the needs of the people, just as the two old parties had done, according to his views. He opposed the policy of his old-time friend, Chancellor Snow, much to the grief of the latter. It is a small matter, but the writer would not be true to the task did he not refer to some of the unpleasant phases of life as well as to those that are pleasing to relate. Whether his estrangement was caused by listening to poor advisers, or whether he had reached the age when "fear cometh" and confidence or faith in men or institutions fails, it is difficult to determine. But, once having made up his mind that the University was not fulfilling its mission to the great common people, he was true to his life in opposing its policy. After a careful consideration of his attitude, gleaned from conversation with him and others, it appears to the writer that his judgment was not clear, as a large majority of the students of the University were from the farm, and fully one-half at the time were self-supporting. It was then as

now, a great democratic institution, representing people from nearly every walk of life, but most largely representing the industrial classes. In addition to his dissatisfaction, he had a feeling that there was much work to be done that his declining health would not permit him to do, and he resigned, not without regret, his place on the board of regents.

The criticism of the friends of the University would in any event fall lightly on one who had done so much for the University, and under the circumstances it is overwhelmed by the magnanimity of the man in leaving the greater part of his estate to the institution which was the cherished idol of his heart and a living monument of his great-mindedness. No difference of opinion as to the adaptation of means to an end could stand between him and his great purpose. Some day, no doubt, there will rise on Mt. Oread a magnificent structure of stone and iron bearing the name of ROBINSON, a worthy tribute commemorating his life and his service to the State of Kansas, reminding generations to come of the great part he took in the building of the commonwealth. For, holding in mind all of his services to Kansas in the establishment of a colony at Lawrence, in the struggle with the border ruffians, in the foundation of the Territorial Government, in the Constitutional struggle, in his position as the first Governor of the State, and in his subsequent life as Charles Robinson, citizen, one must say that the crowning work of his life, and that which will last the longest in the memories of the members of a grateful republic, was the services to the cause of education. Here, on Mt. Oread, is built a monument to liberty and education, whose foundations



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were laid in the early struggles for freedom in Kansas, and whose superstructure will be built by future generations of loyal citizens of the State. This monument, though erected to the lives of many men, will also contain engraved in prominent letters the name of CHARLES ROBINSON.

An important educational work in which ex-Governor Robinson was engaged in his later years was the superintendency of Haskell Institute, one of the prominent Indian schools of the Federal Government, located at Lawrence. This institution was founded by the United States Government, and its location at Lawrence was secured in part by the citizens of that city, but chiefly through the influence of Hon. Dudley Haskell, member of Congress from the Second District, after whom the Institute is named. When founded, in 1884, the Institute had but few students, and its property consisted of 280 acres of land on which were built three stone buildings, 122x62 feet, used as a school-house, boys' dormitory and girls' dormitory, respectively. When he entered upon his new duties, Governor Robinson found that the school was in disrepute among those it was intended to help. The industrial departments included a small cobbler's shop and a carpenter's shop, in addition to the farm department. The Indians of Kansas and the Territory were hostile to the management, and parents refused to send their children. For this reason the attendance was much below what it should be, and the pupils, knowing that they would be ridiculed when they returned home, and not having been taught in such a way that they could care for themselves, were disheartened and discouraged at the poor success of their attempts to live the lives of white men.

At this time the question of Indian education and its results was attracting the attention of many of the foremost educators of America. Though the institutions at Hampton and Carlisle had won considerable success in Indian education, it was yet to be determined whether after all, the kind of education they were getting would bring in actual life the real results which were claimed for it; and therefore the problem of Indian education was worthy the attention of any man. When Charles Robinson accepted the position offered him by Secretary Lamar, he did so with several express objects in view. His first aim was to make Haskell Institute an industrial school in every sense of the term, believing that an industrial education was the one best fitted for making useful citizens of the young Indians. With the change of management in Haskell Institute, new life was put into the institution. The school now increased its popularity with the Indians, and doubled its attendance. Through Robinson's influence new buildings were added for school purposes,—dormitories, shops, and warehouses. All departments of industrial training were instituted, including departments for wagon-making, shoemaking, tailoring, carpentering, printing, dressmaking, and a laundry and bakery. At this time, also, 210 acres of land were added to the property, about half of the entire farm now being fenced. Governor Robinson also turned his attention toward making the place more pleasant for the young Indians. The buildings constructed under his directions were erected with careful regard to the relationship of the buildings one with the other, and large lawns were laid out, sodded and filled with shade trees grown on Robinson's

own farm. But, after Dr. Robinson had for several years conducted this institution so satisfactorily to all interested, he was at length compelled to resign his trust, owing to declining health.

It is interesting to note that his plan of emphasizing industrial education at Haskell was the one that has been advocated and practiced with great success by his successors. He also advocated the division of the Indian reservations into small farms, so that each Indian could be given a piece of land to till, and thus practice an independent life. It is to be remembered that this idea came out prominently in the Indian severalty bill, known as the Dawes Bill, which subsequently passed Congress and became a law. The work of breaking up the tribes, tribal relations, and the reservations, and of making common citizens out of the Indians, is the Indian problem now before the American people. In order to solve this problem, education of a practical nature is essential, and therefore Governor Robinson and other superintendents of Haskell have urged instruction in the agricultural and industrial arts. The efforts of the present superintendent of Haskell to enlarge the work in industrial education is well known in Kansas, and indeed throughout the United States.¹

Thus we find that Dr. Robinson was identified with nearly every early educational movement in Lawrence, from the time of its foundation till the time of his death.

¹Haskell Institute has grown into a flourishing school of over 600 pupils. Its line of progress has been that suggested by Governor Robinson, namely, industrial education. It has been the saving of Indian education.

In the memorial services held at the University in honor and memory of Governor Robinson, Dr. Cordley said:

"In every movement toward a college made in Lawrence, Governor Robinson was a prominent actor. There were three efforts before the State University was suggested. He was active in every one of them. Whether the movement was by the Presbyterians or the Congregationalists or Episcopalians, he could always be depended upon to cooperate. Though he belonged to neither of these bodies, he cooperated with each of these in turn, willing to join with any body of men who aimed to build a worthy college. He was a member of every one of these boards of trustees, and an active sympathizer with their plans. When the State University was proposed and the other plans all merged in this, it was in full accord with his ideas, and he joined in the effort with great earnestness. He offered to turn over to the State the funds of which he was the custodian, and also to add still larger donations of his own. The beautiful site on which these buildings stand was his gift to the State. If the State was as wise as he was liberal, she would lose no time in securing the entire circle of the hill, and thus come in possession of the most magnificent site of any university in these United States of America. She would thus literally round out the noble gift of the first Governor of our State, and do a deed for which all the future would call her blessed. It would be an act whose significance would be more marked with every year that passed.

"Governor Robinson's interest in the University was not confined, however, to gifts of money or land. He gave it also time and thought. He was always ready to give it his personal service whenever that service was called for. He was a member of the first board of regents, and I am not able to say how many terms after that he was his own successor. In his capacity as regent he was untiring in his attention. He was not only present at meetings of the board, but would spend time and money and travel in aid of the institution. When the first faculty was chosen he proposed the name and secured the election of a young man in Massachusetts as Professor of Natural Science. Then he used his best arts of persuasion to induce that young man to accept the position offered him. That young man came and entered upon his work, and did it so well that he distinguished himself and the institution with which he was connected. So, among the contributions of Governor Robinson to Kansas

University may be properly included her honored Chancellor, Frank H. Snow.

"While the name of Governor Robinson is written upon the early history of this State in letters that can never be effaced, because they penetrate to the very substance itself, his thought and life are also wrought into this University in the way that is most enduring, because they are a part of the very foundation and structure. His name is linked with the very first thought of a college in Lawrence, and can be traced down the whole history of its development. He seemed to be following the plain logic of events, when he made this institution the final heir of the estate he left behind him. He showed in his last act where his heart all along had been. He wished his last gift to go where his chief interest had been. He seemed to realize that this was his best monument, and only followed the instinct of his life when he crowned it with his last benefaction."

Many instances might be given where his unostentatious giving has aided public enterprises, like the city library, or individuals struggling for an education. His public life was but an echo of his private practice in pushing forward all interests which make for the advancement of the individual or society. But here as elsewhere, he must be the judge as to the helpfulness of the cause: if in his judgment it was useless, he held it to be his right to repudiate it.

While supporting every educational cause of the State, his whole life was an object lesson of freedom, of liberty, of earnest conviction, of help to those who needed help, of strength to the strong and of support to the weak. And such a life, full of work and earnestness of purpose, presented to each succeeding generation as they study how the great commonwealth of Kansas was built by the united action of scores of brave men and willing hands, will show what a single life may accomplish in the great work of state-building.

CHAPTER XII.

CHARACTER.

IN concluding this memorial, it is perhaps fitting to add a few words respecting the character of Governor Robinson, setting forth views gathered from his actual service to humanity, and gleaned from the opinions of those who knew him best. As one who belongs to another generation from those who endured the hardships of the early struggle for freedom in Kansas, I approach the life of one who was an actor in these stirring scenes, with becoming reverence. It is, at most, but a small tribute that this generation can pay to a preceding, but that tribute is best made by reverence and honor to those who fought the early battles, who endured the early struggles, that we of this day might enjoy the blessings resulting from such sturdy warfare, and might thus have weapons with which to fight successfully the battles of truth in our own day and generation.

In a general estimate of the life of Governor Robinson there must first be recorded the evidence of a strong individual character, a bold, hardy spirit, able to give and take blows for what he deemed the right. In consequence of this strong individuality he was misunderstood by both his friends and his enemies. This quality made it difficult for him to follow with zeal any party or creed. It was sufficient for him to ask his own consciousness what was right in any matter, and to act accordingly. Parties might change or hold to old doctrines,—Robinson fol-

lowed the iron course of conviction. If he hurt the party or made enemies, it was small matter to him. What was right, what was justice in the case, were his criterions for action. Possibly he could have made life easier for himself, possibly there were times when he could have accomplished more by being more flexible and more politic, but he would not have been true to his convictions, and they were law to him.

The estimate which his friends and his enemies united in passing upon his character ought to be a fair estimate of its real worth and meaning. Governor Robinson never had a large personal following. He is not a subject of hero-worship at all. Men of his stamp never are, because it is impossible. It is only the person who has a strongly partisan nature, who has qualities of bold leadership, and who possesses a desire to march at the head of the column, — it is only such a person that brings about him a crowd of admirers who would follow him, right or wrong, to the death. The man with the cool, calculating judgment, who will change his policy according to conditions because the right thing to-day may not be the right thing to-morrow, may have many admirers, but he will have few worshippers. Such a course implies a bit of austerity which for the right's sake or for the truth's sake would strike down alike friend or foe. Such was the character of Charles Robinson, and while there are no blind worshippers of his life or his character, there are thousands of admirers and strong friends who acknowledge the value of his services to the community.

Among the leaders of the border ruffians of the Proslavery days were those who always acknowledged Robin-

son as the leader of the opposition. The testimony of Eli Thayer and Amos A. Lawrence, presented elsewhere in this volume, gives him credit for being the same clear-headed leader of affairs. Joel K. Goodin said, after Robinson's death:

"No better representative of constancy to every material interest of the State and his city has either had than in the person, the life, the watchings and activities of Charles Robinson. No truer or braver man has breathed its pure air, been its more earnest champion or a greater benefactor to the extent of his abilities. His hand and heart were ever open to the demands of philanthropy and the objects of meritorious charity. He lived outside of the narrow limits of party or sectarian prejudice in both politics and religion. The universal fatherhood of God and brotherhood of man, was a faith that took faster hold upon him inspiring to action than any of the tenets, religious or political, of the day. He shirked no duty, evaded no responsibility, but intelligently met and battled for everything which he believed to be right. His convictions were to him laws, commands to active exertion, and his courage never failed him. Hence he was no time-server, apologist of wrong in high or low places, but frank to a fault, cost what it may. He was constant in his friendships, upright in his dealings, hospitable under all circumstances, and his integrity was sterling. He was a leader of leaders, safe in counsel, and foremost in executive ability."

In paying his tribute to the life of Robinson, Rev. Richard Cordley, time-honored citizen and beloved pastor of Lawrence, referring to the early struggle in Kansas, said:

"The man whose steady counsel more than anything else accomplished this result, was Governor Robinson. When history comes to measure events by their importance, she will put the name of Charles Robinson high in the scales of diplomatic generalship. Whether any other policy would have made Kansas free, no man can tell. But the policy that did accomplish that result was suggested by Governor Robinson, and matured and interpreted and applied by him during the two turbulent years when the question was at issue.

He will always, therefore, be a marked figure in the history of Kansas."

In this same line of thought, a writer, correspondent of an Eastern paper at the time of the early struggle, and referring to the Free-State convention held in 1855, said:

"The president of the convention was Governor Charles Robinson. From the first he had been considered the leader of the Free-State movement, and was looked to for counsel in every difficult emergency. He was always cool and clear-headed in the midst of danger, and no emergency disheartened him. He was a man of fine presence and large experience. In the popular sense of the word he was not eloquent, but he had a way of talking to a crowd in such a plain, straightforward manner that few men carried conviction more readily than he. He was usually conservative, preferring to gain his end by management rather than by force. It was largely due to the moderate counsel of such a man as he that there was no more violence and bloodshed during those critical times. He was a good presiding officer, and in the stormiest debate he was never bewildered."

But more remarkable than the testimony of friends is a recent testimony of a man on the other side of the conflict. A remarkable tribute of his old enemy, General Jo. O. Shelby, given soon after the death of Governor Robinson, is especially worthy of notice here. Referring to an incident of the Wakarusa War, Shelby said:

"I saw Governor Robinson occasionally after that. We fought him, but he was as lovable a man as there ever was in this section of the country. He tried to prevent the war, but he always stood for the Union when it came to a show-down. He opposed radical men like Lane almost as much as he did the hot-headed fellows on our side. We knew what he was doing, and he never mistreated a Southern man who came into his hands. He was a man whom I shall always remember with admiration."

In recent years some have tried to show that the position that Robinson assumed in the early struggles was

not of great importance in making Kansas a free State; that there were none who were for radical destructive war in opposition to Robinson's conservatism. But there are many witnesses that testify to the real situation,—witnesses who could have no other motive than to tell the truth. I. T. Goodnow, writing under date of June 1st, 1891, said:

“Without Eli Thayer the emigrants would not have come, and without Charles Robinson it would have been in vain that they did come. Cool, clear-headed and brave, he could see the end from the beginning, and the sure way to reach it. While others were all excitement, he was perfectly self-possessed and knew the right thing to do, and did it. To his mind two things were perfectly clear: First, there was to be no resistance of the United States Government; secondly, the Territorial laws made by a bogus Legislature were to be ignored. To carry out these principles required clear heads, and many times a passive resistance worthy of the early martyrs. His great idea was in every case so to manage that the Proslavery men should be in the wrong and the Free-State men in the right. The first must be the aggressor, and the second the passive sufferer, or act only in self-defense. In this way alone he could secure the united sympathy and support of the North.”

This fully explains Governor Robinson's non-resistance policy. It was to be patient until the proper time, and then attack the right party in self-defense. This would account for his services in sending men with his indorsement to secure Sharps rifles for the use of the Free-State men. Valuable, indeed, did they prove in time of danger.

In support of this same view of Robinson and his services to the Free-State cause is the testimony of Joel K. Goodin, who was so prominent in the Free-State movement as secretary of conventions. Writing under date of 1892, he said:

“The policy outlined and adhered to *ab initio* of the conservative

element of early Kansas, to steer clear from conflict with the General Government and at the same time fail to recognize the 'bogus laws' formulated by foreign invaders and political nondescripts, seemed so hard to be understood by the masses, and so little heeded by the hot-headed among us, that we were many times confronted with imminent danger of losing the prize sought for, as well as hopes entertained of building up in this center of the Union a State devoted to freedom, progressiveness, and a grander civilization than those we had left behind."

It was during these perilous times in which the path between success and failure was so narrow and difficult that a single misstep would have changed the result and for the time being lost Kansas to freedom. It was not a time for rashness and bravado to succeed, but rather for firmness, adroitness, and coolness of counsel. Colonel S. F. Tappan, who was an active man throughout the early struggle and saw clearly the dangers faced by the Free-State men, because he faced them and knew them himself, wrote about these times for the *Denver Tribune*, under date of September 9th, 1883. Among other things he said, referring to Robinson:

"Having referred to the early history of Kansas, the long protracted struggle of its people to consecrate its soil to freedom, efforts at last rewarded by the admission of Kansas into the Federal Union as a free State, it seems appropriate to make a brief reference to the man who more than any other,—in fact, more than all others,—by being patient as well as heroic, patient under the most adverse and trying circumstances, patient when persecuted, patient when victorious, patient in council, patient in battle, and, more than all, patient in prison, so shaped and directed the policy of the Free-State men as to bring about the most desired object, the freedom of Kansas."

It was for this patience that Robinson has been censured by his critics. They think he should have been

“more of a fighter,” and by actual revolution struck a blow for freedom. But not one dare say that his failure to do this was on account of fear. Then why did he not become more aggressive against the Proslavery people? Simply because he saw that to do so would bring the hordes of invaders upon an almost defenseless community, and because the Proslavery people had the support of the Federal Government. Under such circumstances an open fight would have brought certain ruin to the Free-State cause. All that could be reasonably done was patiently to act upon the defensive in arms and the aggressive in mental action. To repudiate the bogus laws by evading and denouncing them was a far different affair from fighting the Federal troops and defying the Federal Government.

As to leadership in this great movement, there were several prominent men who took part in different phases of the struggle that might, without exaggeration, be called “leaders.” But in considering the whole movement, the testimony of Amos A. Lawrence in a letter addressed to C. W. Smith, secretary of the Old Settlers’ Association, written on August 16th, 1877, is worthy of consideration. He said:

“Then there was Charles Robinson, whom you chose your leader and Governor. He was to you in that day what Moses was to the Israelites. When the action of the Government was adverse to your interests, when Reeder and Geary were removed, when Atchison, ‘the acting Vice-President,’ left his seat in the Senate to lead the border ruffians, and to drive you out with fire and sword, it was Robinson more than any other man who held the people firm in their allegiance to the United States. Then he had to fight not only the enemy, but his friends. Any other man, with less sound judgment, and forbearance, and courage, would have led you wrong. He was the representative of law and order, and so, under Providence, the public sentiment of the country was kept in your favor.”

But it may be said that these are the testimonials of his friends. Even so; but they were men whose testimony is not to be impeached. They had no favors to seek, no motives to lead them into false statements. They were, moreover, men of excellent judgment, who knew from actual experiences the facts in the case. It is true, they did deprecate the peculiar warfare of Lane and the fierce aggressiveness of Brown, for they thought both of these leaders wrong in their attitude. But, going still further back into the annals of the Territory, we find the testimony of two strangers who visited Lawrence when the battle was on.

Mr. G. Douglas Brewerton, a correspondent of the New York *Herald*, visited Kansas twice, and gained some insight into affairs here. Writing in 1856, he has among other things the following to say about Robinson:

"In Kansas politics, General Robinson was a member of the State Constitutional Convention, is chairman of the Free-State Executive Committee, and in addition to this, holds the military rank of Major-General and Commander-in-Chief of the Kansas Volunteers, as the Free-State army of Kansas style themselves. He may be regarded as the real head—the thinking one, we mean—and mainspring of the Free-State party; or, to speak more correctly, of all that party who are worth anything. We believe him to be a keen, shrewd, far-seeing man, who would permit nothing to stand in the way of the end which he desired to gain. He is, moreover, cool and determined, and appears to be endowed with immense firmness; we should call him a conservative man *now*; but conservative rather from policy than from principle. He seems to have strong common-sense and a good ordinary brain, but no brilliancy of talent. In fact, to sum General Robinson up in a single sentence, we consider him the most dangerous enemy which the Proslavery party have to encounter in Kansas."

It would appear from this that the newspaper reporter

understood the character of Governor Robinson quite well, save for what he has to say regarding the "ordinary brain" and the lack of "brilliancy of talent," which do not seem to agree with the statements in the remainder of his paragraph.

The last quotation that will be given to show the position Robinson occupied in the early struggle, is that of Mrs. Hannah A. Ropes. She visited the Territory in 1855, and was at Lawrence during the Wakarusa War. It was soon after the murder of Barber, and the excitement caused by bringing the body to Lawrence, that Mrs. Ropes wrote the following:

"The windows are open; General Robinson is preparing the somewhat restless body of soldiery, occupying the ground in front of the hotel, for the reception of Governor Shannon. He points to the moving cavalcade in the distance and says: 'It is in the hope of a speedy settlement, without more bloodshed, that this interview is proposed.' It is not palatable to these men; for there is but a wall between them and their sleeping, murdered comrade. But they honor General Robinson, and he curbs their justly indignant blood by the power of his own magnanimity."

After the settlement, arrangements were made for a "peace gathering" to celebrate the "bloodless victory," of the Wakarusa War. Mrs. Ropes first describes the assembling of the guests, and then says:

"General Robinson, too, was showing them the attention they deserved at his hand as invited guests. The General looked pale and more disturbed than I thought possible for one of such remarkable self-control and courage. It seemed that some of the hotel crowd were not ready to give up the war spirit, and accept with grace the peace-offering of social intercourse offered by our great-hearted General to those who had arrayed themselves so cruelly against us."

Then she describes the action of Sheriff Jones and

Colonel Lane in keeping up the agitation of the crowd while there was an attempt on the part of Robinson and others to bring about a peaceful settlement of affairs. She continues:

"Colonel Lane's voice could be heard in different rooms, detailing to eager listeners the most painful circumstances of poor Barber's death, and, with wonderful ingeniousness, keeping up the wicked spirit of vengeance among those over whom he exercised any power. What on earth he was driving at by such a course, it seemed to my stupid self quite impossible to understand; while, at the same time, I knew very well that he aimed at something he could not otherwise attain so well. Any reader of human faces can never study his without a sensation very much like that with which one stands at the edge of a slimy, sedgy, uncertain morass. . . . General Robinson stood like an aggrieved king. He not only stemmed the tide, but rallied back the surging emotions of the crowd; and the meeting closed much more like a gathering of peace than at one time seemed likely. I should like very much to have you see General Robinson. He is honest in expression, simple and unaffected in manner, and brave as a lion. I have somewhere seen a fine engraving of John Knox, standing with uplifted finger and solemn, earnest rebuke in his countenance, in the presence of Queen Mary. The head, profile, and general outline of the figure are very much that of Governor Robinson."

Those who knew Robinson best speak of a sort of inner life which was not usually known to the public. A man who had known him during the entire period of his career in Kansas, Mr. W. H. T. Wakefield, said:

"To know Charles Robinson was to love him. He was one of nature's noblemen, his mind and character, like his magnificent frame, being cast in a giant mold of the finest metal. He was a strong, clear-headed, true-hearted, and generous man, utterly unselfish, and guided by the noblest impulses of humanity. Few men have ever lived so much for others, and self so little. His great abilities and tireless energy have been given largely to the public and to those in need of assistance, and never to his own selfish enjoyment or gratification."

Indeed, it might be said that his habit of thought those who needed assistance led him always to take sides with the weak against the strong. A friend who knew him said that he had formed such a habit of taking sides with the weak in a struggle that he had grown to believe they were always in the right. While the weak is never overwhelmed with charity and love for the distressed and the oppressed, it is true that people frequently err in supposing that "the under dog" is necessarily in the right. It is contrary to the laws of natural selection and the survival of the fittest in social life to suppose that the weak is necessarily correct and that the strong is wrong in the fight. Either may be wrong—one from abuse of power, the other from inherent weakness. However, there are comparatively few who err from wrong assumptions respecting the oppressed.

Those who knew Robinson's inner life best know of the services of Mrs. Robinson. "Of the noble work which she so heroically shared his trials, privations, conflicts and victories, and who survives him for a brief period, nothing but good can be said. She was the presiding genius of the household of the grand and devoted husband. Hospitality was always the rule, and the kindest sympathy of true hearts was ever extended, within the reach of their home and influence."

The writer understands from those who knew Governor Robinson best, that he dealt justly with all men in his private business relations, and that in the home he was an excellent and exemplary husband. As a neighbor he was helpful and sympathetic, and many are ready to assure him of his kindness to them in the time of need. The Rob

son home was always given to hospitality to all who chose to accept of it. It was not blessed with children, but many children felt the kindly sympathy of Governor Robinson and his wife. The spacious grounds of "Oakridge" have often rung with the echoes of their joyous laughter.

That Governor Robinson believed in a wise Creator and a beneficent Father of all, no one who knew him well could doubt. That he did not join any church is not to be wondered at; for neither would he join any medical society, but practiced what he had found to be of advantage. If he found it difficult to adhere to a political party because of the non-progressive attitude of political traditions and beliefs, how could one expect him to join a church with a positive creed and binding rules of action? His early struggle with the creed of his own church seemed to settle that question for him as it did for Thomas Carlyle after his wrestle with Scotch Presbyterianism. So it seems that while Governor Robinson believed in the helpfulness of churches, he preferred to have the utmost freedom in religious beliefs and practice, and hence refrained from subscribing himself a member of any church after his name was left on the rolls of the old New England church, as described in a former chapter.

Robinson had a kindly heart and nature. He was ever ready and willing to help the needy, and very many owe their preservation or advancement to his helping hand. He had a heartfelt sympathy for all who were oppressed, and was easily aroused to fight at once against the oppressors. He had a religion all his own, which was of a pure nature, of a practical sort. He believed little in the saving power of creeds, ceremonies, churches, or ministers.

But he believed in a Creator and Father who answered call from the depths of his nature, as a soul crying for strength in its loneliness. If he did not vigorously support the outward forms of Christianity, he practiced its best principles in standing for truth, justice, and right living. There is hardly a church building in Lawrence to which he did not contribute money or material. He believed there was good in all—especially good for so many people.

As indicated in the first chapter of this book, Robinson had, in his boyhood, something of humor in his general nature. Those who were best acquainted with him in later life often discovered a rich vein of humor in his rather austere nature. The ludicrous side of danger appealed to him, as is commonly the case with those who have complete mastery over fear. It is related that when Dr. Robinson with Mrs. Robinson was going East to arouse the governors and influential people in the North in the interest of the Free-State cause in Kansas, the captain of the steamboat on the Missouri river came to him as the boat approached Lexington and warned him that a band of border ruffians would board the boat at the next landing with the intention of killing him. "You are joking," said Robinson to the captain; "why would they kill me?" While the captain could not give a satisfactory reason for the attempt on his life, he made it plain to Robinson that it was not a joke, and offered to find a hiding-place for him. But Dr. Robinson declined, saying, "I don't know as I care. I'm rather curious to know what there is after this life." With a keen sense of the ludicrous, he showed interest in the vagaries and follies of men, and was i

clined at times to be too severe in his witticisms in taking them off. There is evidence of positive enjoyment in his description of the ludicrous duel at the time of the Topeka Convention between Lane and Lowry,—a duel that never came off. The contrast between Lane's braggadocio and his abject fear was not a little amusing to a man who knew not fear. "The grim chieftain," shaking with fear underneath a pretense of bravery, was a cause of enjoyment to others besides Robinson in the convention.¹

Lane's straw men at the "battle" of Fort Saunders was another instance that called forth expressions of humor bordering on ridicule from the Governor.²

While in the prison-camp in Lecompton he unintentionally made an enemy of a man, by good-natured ridicule. His wit was frequently too incisive for the comfort of those toward whom it was directed. In reality it appeared much more severe than it was intended to be. Indeed, it is difficult to see how a man who had such a kindly heart and was so much interested in his fellow-men, always ready to help them in time of distress, could have intentionally caused pain by his shafts of wit. If he ever did so, it was sometimes because of a keen and irrepressible sense of humor due to the absence of fear on his part, under circumstances that aroused it in most people.

His strong individualism at times seemed to overpower his native generous consideration of the feelings of others. For, upon the whole, the serious side of life impressed him profoundly with its importance and earnestness, and he frequently wore in his countenance and manner an

¹ See chapter V.

² There really was no battle. The enemy had fled before the "straw" men arrived.

austerity which covered the kindly intentions of his heart.

His views and actions on the temperance question afford a very good illustration of his general attitude toward troublesome questions. From his earliest life Robinson was a strong temperance man. He believed in temperance, not as any part of his religious faith, nor because he held it to be a sin in itself to partake of strong drink, but because he believed that the inordinate use of such drink was destructive of body and mind, and led to poverty, vice, and crime. But as an ideal he held that temperance is a greater virtue than total abstinence; for the man who of his own volition is temperate in life, has reached a higher stage of development than the man who is forced by law to refrain from harmful practices. It is the same with society. A community that acts rightly in its own normal life, and not because of restriction and repression imposed by rules, is of a much higher order than the weak community which must be hedged around with barriers to keep it in a normal line of action. To him intemperance was a deep-seated evil, extending to all departments and practices of life. Hence, any mere rule of action attempting to control the personal social habits of man was worse than useless. He opposed the prohibitory law in Kansas because he believed it to be a sham and a pretense at virtue, and he disliked and opposed all shams. He appears to have opposed it also because he thought it inconsistent with personal freedom, or liberty of action. It is easy to see how this phase of the question appealed to him, for he loved freedom; he was himself able to stand upright, independently and alone, on what he termed "the right";

hence he could not see the virtue of a law that attempted to remove temptation from the weak and caused the indulgers in strong drink to become sneaks and reprobates in evading a law which they thought unjust and unworthy of their obedience.

He thus expressed his opposition to the prohibitory amendment of 1881: "My opposition is for the reason that I believe its adoption would be the greatest calamity that could befall our State, and a blow against temperance that we could not recover from in long years." Using this as a basis of argument, he entered the newspapers, combatting all comers who favored the prohibitory amendment, for the sole purpose of defending what he thought was the right. His opponents said: "Whatever may be the specious arguments advanced to support his opposition, from a temperance standpoint the fact will remain that every blow he strikes against the temperance cause is one in favor of whisky, drunkenness, gambling, and the whole list of crimes born and bred in the saloons." It was in this way that many of the prohibitory folk frequently attempted to classify persons differing in opinion from themselves as persons who favored saloons. There were such narrowness and bigotry evinced among radical prohibitionists. They could not tolerate opinions on temperance different from their own, and sought to put every one who opposed them in an unfair light. By their unreason and intolerance they have done the temperance cause much harm in the State. For there are broad-minded Christian men who believe that other methods of dealing with the temperance question would be better than the prohibition of the manufacture and sale of intoxicating liquors. Some of the

most ardent workers for temperance and the enforcement of the law pause again and again, questioning the possibility of a successful issue of prohibition in Kansas, hoping that some better way for meeting social evils may be devised, yet still struggling on, though somewhat blindly, in their righteous attempts to enforce the law.

Governor Robinson, aroused by false representation and stung as by a nettle with the intolerant jibes of opponents, set himself squarely against the amendment. In the political controversy that followed he used his pen with the vigor usual to him when engaged in debate.

But the amendment was passed, and laws under it for the carrying out of the will of the people. This was but the beginning of the trouble, however, for each succeeding year brought increasing difficulties in its enforcement. While the writer may not agree in the attitude of Governor Robinson on the question, he is compelled to confess that the Governor's warnings regarding the future operation of the law were in some degree prophetic. What will be the final outcome, no one at present can determine. While there is probably an overwhelming majority in favor of retaining the prohibitory law for fear of getting nothing better should it be repealed, if for no other reason, yet its most ardent supporters cannot pretend to be satisfied with its operation in Kansas. While it would be out of place to enter into a full discussion of this question,—one of the greatest that Kansas has ever undertaken to dispose of,—it may be safely said that the present enforcement of the law is unsatisfactory to nearly every one; and while the idea of prohibition has many warm supporters in Kansas, there are others, not interested in the liquor business, who

believe it to be a curse to the State. However, the liquor question gives trouble of one kind or another, no matter under what law, and a change from the prohibitory law to some other would not insure any improvement, and it might prove worse.

What Governor Robinson did in the controversy on this subject was with the purest motives, and the wish to aid in securing for the State the best and most effective law for the suppression of drunkenness and the vice and crime that spring out of it. Whether we could have a better law for the times it is difficult to say, although the present will receive a thorough trial, and will not be given up by its advocates until it is proved a failure or until some better law is substituted for it. Governor Robinson believed that only such laws should be created as could be executed and enforced. He knew that no prohibition law had ever been successfully enforced, wherever tried in the United States; therefore, for this and other reasons, he was opposed to it. He believed in local option. In this way in some communities it would be possible to have entire prohibition, while in others, less favored, restrictive measures could be adopted much more serviceable to such communities than a prohibitory law: measures, for example, providing a severe penalty for selling to minors or habitual drunkards, for selling on election days, Sundays, and national holidays; and, in fact, just such restrictions as the community is able to enforce. Because a man advocates such a rational course, is there any reason why those opposing him should assert that he is working with the liquor-dealers and for the saloons? No automatic process has yet been discovered for the suppression of the liquor

traffic. Local option has succeeded in some parts of some States, and this is all that can be said of prohibition so far as tried.

But Governor Robinson was not perfect, nor did he ever pretend to be without faults. He had faults which he knew and deplored, and which his best friends knew and deplored. He was a strong individualist, of a nature that might almost be called turbulent had it not been so largely under the control of a strong will. He was willing to assume responsibility and submit to the consequences. A favorite motto was, "Suffer and grow strong." Nor did he fear to stand alone in the pursuit of a course which his best judgment directed him to follow. In the general acceptation of the word, he was not a partisan. He never submitted his private convictions of right and wrong to the exigencies of party success. While in a large sense he was an excessively social man, working always for the good of humanity and seeking for it the highest social well-being, he found it difficult to bind himself to any clique or set, or to strike hands with his fellows to stand by any proposition or party. He preferred to meet issues as they came, and to depend on his own best judgment to do the right thing. He was especially interested in the so-called "common people." He early formed the habit that has already been referred to in this chapter — that of taking the part of the oppressed; and so strong did this habit become that he always assumed if a man was down his cause was just. His best friends frequently felt that his individualism was too strong for their comfort. One of his admiring friends said to him one day, "Why don't you behave yourself, and let us love you, for we want to?"

Governor Robinson responded with a quiet laugh, and that was all. This was in the latter days, when he had become estranged from the Republican party. Perhaps his leaving the Republican party after it had given him offices of trust was the worst grievance the friends of Governor Robinson had against him. Yet, when we consider his nature, we must see that it was the most natural thing in the world for him to do. He believed in "money for the people," and in Government measures for the relief of the people. He felt that the Government had been legislating too much in favor of the rich and too little in favor of the poor. While we cannot agree with all of his social, economic and political theories, we may admit that he was right in his fundamental principles. He had a wide sympathy with the laboring classes, and a strong fellow-feeling for the farmers when they suffered so much from over-borrowing, short crops, and falling prices. He left the Republican party and became a Democrat. He never admitted that he was a Populist, but the time came when the two parties were peculiarly mixed in Kansas, and the terms were then almost synonymous. His theory was, that if a party would not do what the individual thought was right, he should drop it and take up with one which, in his judgment, came nearer doing this.

It is not intended to say here that Robinson was never diplomatic or a partisan, for this would be entirely erroneous and misleading. Although strongly individualistic in nature and independent in thought and action, he was ever ready to serve others by diplomacy and policy. Nor did he fail to manage his personal affairs with adroitness and skill. But what is unquestionably true is, that once

having decided upon a given course of action he could not be changed through fear of personal consequences; and he would not, with the hope of personal gain, "stand in" with a clique or party in conflict with his opinions of what was right or expedient. But to stand for a course of action which he deemed right and just, and to use policy, skill and diplomacy in achieving its success, was what he loved and did do; but this is something far different from striking hands with his fellows in order to save his own neck or in any way advance his own interests.

As we reflect upon the stirring times in which Governor Robinson lived, on his struggle with ill-health and grief in Massachusetts, on his adventures in California, and the great struggle in Kansas; as we consider what of treachery and calumny, misrepresentation and malignity he had to endure from his enemies, we may consider it remarkable that his life moved along so evenly in the later years, and that his character retained its equipoise. The momentum of his life-struggle for the right carried him on to the end, fighting for the cause of truth and freedom.

His old friend, Chancellor Snow, paid him a just and beautiful tribute without fulsome praise when he said:

"The life which has just ended has been one men may wisely study and imitate. True, our friend had his faults and made his mistakes. True, he lived in times which brought forth qualities and traits of character worthy the attention and imitation of all. The State has lost a true citizen. The University has been deprived of its oldest, firmest and best friend. All Kansas mourns the death of a father."

Governor Robinson was not only generous in support of any good cause, but was personally helpful to individuals.

No deserving person ever went to him in distress without receiving aid. No worthy public enterprise was passed by. His giving was quiet, and hence came from the heart. Indeed, so quiet was it that only those who knew him intimately have an idea of its extent. At one time, when the library of Lawrence was to receive a present from the son of Amos A. Lawrence, and knowing that the city had asked much of the man, Governor Robinson sent Mr. Lawrence a check for fifty dollars, to be used in purchasing books to be presented to the library in Mr. Lawrence's name. Thus did he help to relieve the son of his old friend from too great a burden and the solicitors of the city from an embarrassing position.

Believing that every man should have a chance for his life and prosperity in the industrial struggle, he gave quiet personal aid to many who afterwards lived and prospered to call him blessed. After his death many letters came to Mrs. Robinson testifying of personal services received and affection returned. Said one: "While I was struggling to educate my family I rode with the Governor from Leavenworth, and, as I left the cars at Tonganoxie, he handed me a small roll and said, 'That may help to educate your children.' I thanked him, and when I unrolled the greenbacks to my surprise I found fifty dollars." Another relates how on his first arrival in Lawrence, almost penniless, he received assistance from Dr. Robinson, and frequently afterwards received help. A workman on a public building was once heard to say: "When a man went over to the Governor's place he was treated as a gentleman and given a nice room and a good

bed in the house, and was not put off in a shed with an old hard bed to lie on, the way some folks treat their men."

So it appears that he lived true to his convictions in private as well as public life. With a sympathetic social nature, he won the confidence and esteem of all the Free State men and the admiration of many of his enemies for his manly vigor. He loved his country and mankind, and put his energies continually to the test in actual service to both. He was a persistent foe of error; a strong advocate of truth; a fearless fighter in every cause which he espoused, and a tireless worker for humanity. He was not a sounder of trumpets, but a builder of states and institutions. His work was lasting in its effects, and his historical record is clear and substantial. As there passes away hero after hero of those who stood shoulder to shoulder in the great struggle for freedom and in the building of the commonwealth of Kansas, leaving the blessings and the burdens of civilization to be borne by others, the men of these later times are enabled to realize more and more clearly that the advantages of previous struggles are now all their own. They can look back with thankfulness of heart upon the lives of those who wrought and suffered that future generations might have the blessings of liberty, peace and prosperity. As they ponder with becoming reverence upon the long list of Kansas heroes, they will find none greater than Charles Robinson, the patriot and statesman, the citizen and man.

On Friday, August 17th, 1894, at the age of 76 years, at 3:15 A. M., just as the dawn of a new day was approach-

ing, Governor Robinson passed into the unknown. He met death as bravely and calmly as if it were an ordinary event of life. He had often fearlessly faced it before, but now it came, bringing the welcome end of a well-spent life.

No citizen of Kansas has passed away amid more ardent expressions of affectionate regret than Charles Robinson. The whole State knew him and felt its loss. On Sunday, August 19th, four ex-Governors of the State, and other prominent men and officials from various points, came to join with neighbors and friends in paying their last tribute of respect to him who, so powerful in life, now lay helpless in death. The funeral sermon was preached by Dr. C. G. Howland, a venerable and lovable man, since passed to his rest, who closed his discourse with these graphic words:

"Much of Governor Robinson's life was tempestuous, but the close was as gentle as the fading light of day. With a tender yet speechless touch of a dear hand, and without the slightest concern, he went out 'to meet what the future hath of marvel or surprise.'"

"Fallen at length, the Nestor of our time,
Founder and savior of our infant State,
The lofty life to Freedom dedicate,—
The champion ever mailed to challenge crime,
And make the people's rustic cause sublime.
Peer of the commonwealth he did create,
His strength hath known no weakness, no abate,
From this strange stillness back to youth's rich prime.
And is he fallen? Nay; a wiser thought
Follows the spirit as it slow withdrew,
Leaving the fields on which he grandly fought.
The writhing wrongs his prowess overthrew,
And lo! amidst the zenith stars inwrought,
We speed the newest orb'd. Hail, and adieu."

HENRY M. GREENE.

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APPENDIX A.

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NOTE (a).—Subsequently Rev. W. B. Stone became Gov. Robinson's brother-in-law. He was brother to Lucy Stone, the woman who spent her life and all her thought for the enfranchisement of woman. Colleges in New England were not yet open to women, but Oberlin College in Ohio was founded in 1833, in which instruction was offered equally to men and women. Here, all who would seek knowledge should find it. Full of zeal, Lucy Stone and Sarah Pellet, of North Brookfield, Massachusetts, went to Oberlin; the latter carrying her kit of material wherewith she could mend or make shoes for the other students, and so add to her scanty means, while Lucy Stone set and cleared off tables for the daily meals. The spirit of New England girls and boys was full of aspiration, and they desired above all things wise instruction and cleanliness of heart and life.

NOTE (b).—Academies and seminaries were great blessings to New-England youth in those days. They made Amherst, Harvard, Williams and Dartmouth possible to thousands of young men. Hadley was settled in about 1669, and her academy founded in 1687. Among other academies there might be mentioned the academy of South Byfield, for boys, incorporated in 1761. The first woman's academy was Adams, at Derry, New Hampshire, founded in 1823; and the academy at Ipswich, Massachusetts, in 1828. There were academies at Deerfield, Massachusetts; and at New Salem and a few other places. Children and youths who desired to be educated in all branches of study were compelled to attend private schools and academies.

Jonathan Robinson sent three of his girls to Mount Holyoke Seminary as soon as that institution was opened. In 1790, Boston girls were allowed to attend the public schools in the summer for two hours in the afternoon, provided the seats were left vacant by boys. In 1788 the town of Northampton voted that none of the public money be expended for the schooling of girls. Indeed, girls were not recognized by the school laws, for we read that "the word children" be interpreted to mean boys. It had been a dark age for

women, even in good old Massachusetts; but light was breaking. Among the Berkshire mountains, over one hundred years ago, February 28, 1797, a little girl, Mary Lyon, was born, who possessed a craving for knowledge; the same grand assimilating power of intellect which sometimes falls to the lot of brothers in the race, and the same keen instinct into truth, marked her mental and moral character. She was self-reliant, and she learned self-control. She had little regard for trifles; they meant nothing to her. She always saw the humorous side of life, and whatever was set for her to learn she devoured with eagerness and made her own. Miss Lyon wished to found an institution which should be wholly devoted to the higher education of women, and she concentrated all her energies on this work. Belchertown was thought of, on account of its singular beauty of situation, as the location of the school, but the choice fell upon South Hadley. Two of the teachers of the Classical school, and the head of its largest boarding-house, were wanted to go with Miss Lyon. Miss Mary Whitman and Miss Moore and "Pa" Hawks were transferred to Mount Holyoke Seminary, South Hadley, as soon as the school opened there. In gathering funds for the new enterprise, Miss Lyon was untiring. The weather never in this interfered with her excursions into the towns about, to lay her plans before the people personally, and ask for substantial aid. She took whatever was offered with exceeding thankfulness; no gift was despised. Even a contribution of six cents was received with gratitude, and the largest gift of \$1,000 only served to inspire her to more heroic efforts. Sometimes a heavy summer shower, with lightnings flashing and thunders pealing and reverberating among all the hills, (for Belchertown, according to Pres. Timothy Dwight, of Yale College, "was famous for its Anti-Masonry and being struck by lightning,") and one would see Miss Lyon, seated on the bottom of an open wagon with her outer garments drawn closely about her, driving as fast as she could, with ten miles yet to pass between Belchertown and South Hadley, before the darkness of the night should envelop her. She roused the enthusiasm of the people, and the women who desired knowledge saw the shackles falling from them. Miss Lyon was not discouraged by the taunts of men, somewhat educated to be sure, but not advanced enough to realize how their own uplifting would come—must come—by every advance made by their sisters. Father Robinson was among those who felt the stirring soul-awakening of Miss Lyon's enthusiastic work, and

when the school opened in 1837, his three surviving daughters—one had died—entered as students, and made such proficiency in their studies that they subsequently all became teachers and taught successfully for many years.

Thus, one can see readily how the spirit of studious thought was aroused in the youth Charles Robinson. We might mention one incident in connection with a visit he made to his sisters. Miss Lyon always seated her guest at her table, and she always invited him to "ask the blessing" upon the meal. In the simplicity of his heart the young man very reverently asked for the Divine blessing. It required courage to do so in the presence of a bevy of young women,—or it would to a less modest man. But his courage in youth was evinced in other ways. For instance, when he made his first attempt at swimming. There was no water deep enough near his home to tempt him to try his powers, but at Hadley there was the broad and beautiful Connecticut river, one-fourth of a mile wide. At the first trial he swam to the Northampton side of the river, a boat containing two or three of his school-mates going along to take him in, in case of weakness or untoward accident. Again, in later years, while a student in Dr. Gtiddley's office, he went with him to assist in cutting off an arm of Miss Smith, daughter of Col. Smith, with whom he had boarded while at school at Hadley, Dr. Cutter and Dr. Linnell accompanying, while he courageously assisted in the operation. His diffidence did not permit him to speak to the family with whom he had had a pleasant home, but Col. Smith thought he knew him, and said, "Is not this our Charles Robinson?" and it pleased him to be remembered. The clinical experience students of medicine now get in hospitals, they received quite as surely by going with their instructors to the bedsides of the sick, and sometimes without them.

NOTE (c).—Belchertown was situated upon a long plateau, ten miles from the Connecticut river. There was the Mount Holyoke range of mountains upon the northwest, with the mountain house plainly to be seen in clear weather; the Wilbraham mountains on the south, and a high range of hills four miles to the northeast, from which the view is thought to equal that of Mount Holyoke. It has been much visited by New-Yorkers and other people, who have made of the town a summer resort for many years. The ascent of the long hills from the beautiful valley of the north, where the

ponds lie, was two miles from the principal hotel, directly south. Very seldom did Mr. Lawrence, whose eldest daughter subsequently became the wife of Charles Robinson, drive down into it, every fortnight on his way to court at Northampton, without saying with renewed enthusiasm, "This must look like the valley of Jordan." It was on the great stage route between Boston and Albany, and the hotel was the half-way house, the finest on the whole route. The large stone slab, marked "Eighty miles from Boston," still stands at the turn of the fence.

Its large and substantial houses on the broad and well-shaded common, on most of the streets where the branches of the elms form an archway over them, as well as in most of the school districts (there being fourteen), with their beautiful gardens and dooryards, make of Belchertown a delightful town. It is in Hampshire county, often spoken of as the model county of the State. It was so near to Amherst, the president and professors of the college often came to preach on Sunday, and some of them to interest themselves in the public examinations of the Classical school, and not so far from Williamstown as to prevent Dr. Mark Hopkins from sometimes giving the people the benefit of his erudite learning. The corps of six instructors in the school were graduates from Amherst, Williams, and Yale. The one hundred and fifty scholars were from all portions of the town and adjacent towns. They went out from the school thoroughly equipped for their work, and are widely scattered in their chosen fields throughout the whole country, and some of them are beyond the seas.

The stage left Northampton for Boston at 1 A. M., and when it reached the Belchertown hills the elders would alight to lighten the load, and walk up the hills. A little daughter of Judge Lyman of Northampton, did not awaken until the sunrise,—and such a sunrise! Having vague ideas of the pearly gates and the golden streets of the New Jerusalem, looking off beyond the Belchertown hills upon the intermingling colors,—jasper, sapphire, and chalcidony; emerald and chrysolite; topaz, jacinth, and amethyst in that glorious horizon,—she said, "Are we going to heaven?"

Some interest may attach to the following extracts from a letter received by Mrs. Robinson in November (1893) before the Governor's death. It was written by an early school friend, resident then at Belchertown:

"Accepting the position of organist in Dr. Beman's church about

1846, I continued as director of the music for nearly forty-five years, commencing with a volunteer choir of forty singers, and closing with a quartet of single voices, which were paid \$1,200 and \$1,000 per annum. Having given the salient points of an uneventful life, which I hope you may not think in the repeating I have too much of egotism, I cannot refrain from a word in retrospect. Your letter brought to mind so much of the past, and so vividly, that the scenes of long ago seem more near and dear than anything transpiring at present.

"Hanging up in my office, with pictures of my father and family, is the lithograph of Oakridge, sent me some time since. And often has the thought of the gentle maiden who gave me my first French lessons, and who has since passed through the thrilling scenes that made 'Bleeding Kansas' the prelude to the terrible war, come to me, contrasting the late life of excitement and danger with the almost pastoral quiet of those days at Belchertown; and there comes an awe such as when one looks on a picture of Jeanne d'Arc before and after her inspiration. When in a mood of reverie, I recall the fact that our mothers were intimate schoolmates in Belchertown; that my mother first caught a glimpse of my father there, and saucily dashed the mop around his heels when she with others was cleaning the school-room for examination, while he was visiting the principal, an old friend of his; where I first heard and saw your father, who was ever to me the peer of all men intellectually; where Mr. Pearl taught dancing under the pious fraud of 'calisthenics'; where the churches fought one another instead of the devil, and Bro. Oviatt tried to pour oil on the waters; where the boys and girls found friendships that endured; where the daily stage to and from Amherst and Palmer with Father Clapp as superintendent was the great event of the day; where such views of Mt. Holyoke and valleys stretching in all directions made one feel that Belchertown was the very center of the earth, a city set upon a hill, a very Jerusalem where the tribes go up to worship.

"All this and more comes to my mind, until that time and not the present seems vividly real. You will pardon the garrulity of an old man, and believe the old friends seem and are better than new ones.

"With kind regards,

S. B. S.

"TROY, N. Y., Nov. 16, '93."

NOTE (d).—Myron Lawrence was born in Middlebury, Vermont, May 8th, 1799. In 1820 he graduated from the college in his native town, sharing the highest honors of his class with Stephen Olin, who afterwards became Dr. Olin of Wesleyan University, at Middletown, Connecticut. In their school duties they had been wont to help each other. In all calculations of eclipses Mr. Lawrence had made the calculations, while Mr. Olin perfected the drawings. Be-

fore he reached his majority, by the advice of Judge Doolittle of Middlebury he had gone to Belchertown, Massachusetts, to study law with his brother, Hon. Mark Doolittle, a graduate of Yale College. He became also a member of his family, remaining such until his marriage March 28th, 1824.

There came the happy day to the citizens of Massachusetts, when the granite hills of its western county, Berkshire, were tunneled for the passage of the Boston & Albany Railroad, at great labor and great cost. Mr. Lawrence, as one of the directors, worked untiringly for the accomplishment of the work. There would no longer remain the necessity of taking the stage at four o'clock in the bitter cold of a January morning, to travel by the highways, were they open, and over the stone walls when the snows were deepest and hardest, if, by so doing, the distance of eighty miles to Boston could be made less. Such a winter was that of 1840. Its cold and snows were unprecedented. There were many upsettings of the coaches that winter on the Leicester and Spencer hills, and much merriment as the legislators were trying to be on time at the opening of the General Court [the Legislature].

When twenty-seven years of age, Mr. Lawrence represented his town in the Legislature. He served several years as Senator and several as President of the Senate. At his home the distinguished people of the times visited him. Among the most noted, Daniel Webster, Miss Harriet Martineau, Stephen Olin, Robert Rantoul, George Ashmun and W. B. Calhoun never passed him by.

Louis Kossuth, the great Hungarian, had been struggling to free his fatherland from the chains of despotism. In 1850, Mr. Lawrence presided at the immense meeting in Faneuil Hall, which welcomed him to Boston. In that little down-trodden country of Hungary the spirit of liberty was awakened, and the clear tones of Kossuth's voice and the magic of his unmistakable genius had aroused an unusual enthusiasm in the heart of New England, and all through her hills and valleys the fires of liberty were lighted anew. It was worth much to see and hear such a man, so wholly inspired and devoted to his cause.

In 1850, Mr. Lawrence delivered the semi-centennial address at the commencement at Middlebury, while Stephen A. Douglas, native of Brandon, Vermont, gave the address of the evening. It was said that the impromptu address of Mr. Lawrence to the alumni was one of the happiest efforts of his life. He became a trustee of

the college in 1851, and worked without ceasing the last winter of his life in raising funds for its endowment. He often said, "It is a blessing to a boy to be born in a college town." He and his only brother found it so. His brother, Judge Edwin Lawrence, of Ann Arbor, Michigan, was graduated eight years after himself, and served, for thirteen years, a most honest and severely upright judge, before the bar of Washtenaw county. Mr. Lawrence honored his State and his State honored him. The experience he attained in his profession, the high esteem in which he was held for his course in life, his usefulness to the State, are all well known. In June before his death, he was honored with the nomination for Governor on the temperance ticket, but failing health prevented his acceptance. On November 7th, 1852, Mr. Lawrence passed quietly away.

NOTE (e).—Fitchburg, a growing town in the northern part of Worcester county, had become a great railroad center. It may not seem irrelevant to give a brief description of the town with whose interests Dr. Robinson became identified, and which he left for busy scenes of wider range. In its location upon the Nashua river, it possessed many natural advantages for the building of a great city. There was ample room for its many industries, works in iron and brass, the foundry and steam-boiler works, and steam-engine company works. Putnam machine-shops, established in 1836, the oldest and largest machine-shops in the city, cover fourteen acres, and they have all the facilities for making all the tools they use. The Simonds Manufacturing Co. dates from 1832. Their machine knives, circular and handsaws are known over the whole world. They are the largest manufacturers of machine knives in the world. The circular saw exhibited by them at the World's Fair, 1893, is the largest saw ever made, being 130 inches in diameter.

Then there were the woolen mills, the first one started in 1822; the first paper mill, in 1804. There is Rollstone mountain, east of the Nashua river. It is of solid granite, from three to four hundred feet high, and about a mile in circumference. In 1844, granite was sent to Boston for the construction of the Fitchburg railroad station. The first building in Fitchburg to be built of Rollstone granite was the stone mill on Lamb street, built in 1852. No derrick was used to lift the blocks into place, for they were all drawn up on an inclined plane by oxen.

There was the river and the mill in the valley, and when the railroads centered there, a great impetus was given to every sort of

business; and there were the homes, many of them palatial and perched upon the high hills inclosing the main street and the river almost like an amphitheater. The town has often been called the Heidelberg of America, from the old German Heidelberg with its castles upon the hilltops.

Fitchburg has become a half-shire town since then, and has greatly increased in wealth and prosperity. Its first library was a shelf of books of travels and stories, in a blacksmith's shop on the "Barn Road." There are now 30,000 volumes in the public library, and 13,000 card-holders use the books.

NOTE (f).—Mrs. Robinson's mother, Clarissa Dwight, was a woman who joined to personal charm and intellectual strength, great independence of character and marked individuality. She was the twelfth and youngest child of Col. Henry Dwight and Ruth Ricker, the only one of the children who had a clear brunette complexion and large dark eyes. She not only enjoyed the advantages of private schools in town, but several terms at Hopkins Academy, Hadley, and Deerfield Academy; also with some relations—Dwight, who conducted a school for young ladies at Hartford, Connecticut. She much resembled, in personal appearance as well as mental characteristics, her cousin Miss Catherine Maria Sedgwick, daughter of Pamela Dwight and the Hon. Theodore Sedgwick, of Stockbridge, Berkshire county, Mass. Miss Sedgwick, in those days when few women ventured upon using their pen, had become quite famous for her little books, intended to arouse popular thought upon some of the evils of the time: "The Rich Poor Man," "The Poor Rich Man," "Let and Let Live," "Hope Leslie," the "Linwoods," the "Redwoods," and many other books of interest and value. Miss Margaret Dwight, another cousin, had been the founder of the celebrated Gothic Seminary for young ladies at Northampton, and a successful teacher in the South. Mrs. Doolittle, with whose whole name the young girl was christened (Sara Tappan Doolittle), and Mrs. Lawrence seemed to be looked upon as the godmothers of the town. They were at the head of every public enterprise, educational or benevolent, and never halted for one moment's rest. For many years they held the positions alternately of President and "Directress" of a large and busy sewing-circle. Their earnings usually went to gladden the hearts of missionaries in the newer fields, but the work of one summer was devoted to procuring blinds for the newly repaired church. A little "outing" for pleasure was made to South Hadley Falls.

the purchase of the blinds, an omnibus-load of ladies appearing at the blind factory one day, with Mrs. Lawrence at their head. The church was long and had its double row of windows, and the ladies did not consider their work complete until the blinds were painted and hung.

It may be because Mrs. Lawrence was at all times called upon to aid the public and never refused, that her two daughters were so early trained to be ready for action at any emergency. It seems odd in these days, when girls grow up without knowledge of matters connected with housekeeping, to hear of a little girl of ten years mounting upon her small chair, and making the "election cake" for the sewing-circle of forty members to meet with her mother the next afternoon. Her father was possessed of the happy thought that what was good for a boy fitting for the college would be equally good for his two daughters. Hence at this time the child of ten was keeping pace with her brother, making good progress in Andrew and Stoddard's Latin Grammar and Exercises, and two years afterward was reading one hundred lines of Virgil a day.

It may not be considered amiss to give something of the history and characteristics of the Dwights, Mrs. Lawrence's ancestry. It is taken mostly from the Genealogy of Dwights, two large volumes of nearly 1,200 pages. Such a judicial history as is given of the descendants of Captain Henry Dwight, of Hatfield, in western Massachusetts, cannot, we believe, be paralleled in any other family in the land. Five of the Dwights, all closely related to each other, sat at different times as justices upon the bench of the same court, that of common pleas, of Hampshire county, Massachusetts. These were Capt. Henry Dwight, of Hatfield; Col. Timothy Dwight, of Northampton, his nephew; two sons of Capt. Henry Dwight, namely, Col. Joshua Dwight of Springfield and Gen. Joseph Dwight of Great Barrington, and Major Timothy Dwight of Northampton, son of Col. Timothy Dwight, and father of President Dwight of Yale College. Captain Henry Dwight was judge for five years, until his death. Col. Timothy Dwight held the office twice (1737-41 and 1758-74.) In two different instances two Dwights sat as associates until his death. Joseph Dwight was judge from 1753-61, when the county was divided, and he was made judge of the new county of Berkshire, which position he held until his death in 1765. He was also judge of probate of Berkshire county at the same time. Major Timothy Dwight was judge in Berkshire county sixteen years

(1758-74). In two different instances two Dwights sat as associate judges on the same bench: first, from 1750 to 1757, Col. Timothy Dwight and Col. Josiah Dwight, his cousin; secondly, from 1758 to 1761, Major Timothy Dwight and Gen. Joseph Dwight, second cousins to each other. In one instance a son, Major Timothy Dwight, immediately succeeded his father, Col. Timothy Dwight (1750). In two other instances, two sons of the same father succeeded him to the same office. But strangest of all, three Dwights sat for four years each as judges upon the same bench: Col. Timothy Dwight (1748-57); Col. Josiah Dwight (1750-68); and Brig.-Gen. Joseph Dwight (1756-61). Gen. Joseph Dwight was judge at different times in three different counties: Worcester, Hampshire, and Berkshire. Two of this family were Chief Justices: Col. Timothy Dwight and Brig.-Gen. Dwight. The history of the court of common pleas and of the probate court also, of Hampshire county, the one for more than seventy-five years and the other for more than eighty, were so connected with the history of the Dwight family as to be worthy of notice.

Capt. Henry Dwight was active in the subsequent purchase of the territory composing now the towns of Great Barrington, Sheffield, Egremont, Alford, all in what is now Berkshire county. Captain Dwight and two other gentlemen were "a committee appointed by the General Court to purchase a certain tract of land lying upon the Housatonic river." That land was cheap at Hatfield, and that Captain Dwight was disposed to purchase largely, appears from the fact that in June, 1772, he purchased 1,200 acres for one hundred eighty pounds, or three English shillings per acre.

The name Dwight is now, as in days gone by, a well-recognized symbol throughout the land, of earnest appreciation of all that is highest and best in education and religion, and in personal industry and personal worth. If asked to state what one practical quality beyond any other has characterized the family within the author's range of observation, he would at once reply, military talent, or that natural executive energy and administrativeness which may be readily and effectively applied to the demands of the battle-field, the exigencies of general business, the explorations of studious research, or the comprehensive duties of statesmanship, or of official service of one's country: and which, in whatever field of employment exerted, is in itself one and the same essential manifestation of manly vigor of thought and feeling. The next most practical trait of those

of the family known to history, has been that of their own separate individuality of conscience and of conviction of character and conduct. The personal element has been generally a marked factor in the composition of their ideas, in the expression of them, in their words and deeds. They have been in a striking degree men and women of thought, independent in framing their opinions, and fearless in acting according to them, and in declaiming them freely and unmistakably to others. The feminine branches of a family exhibit the higher qualities that distinguish it, quite as clearly as those which bear the family name. Any one having a long acquaintance with the family history can easily rally to his thought many an honored name, both among the living and the dead, resonant with its own intrinsic worth, which has been drawn from the best Dwight motherhood, gracing its own lineage and graced by it.

They could not call any man their father in their habits of religious thinking,—not John Calvin, nor their own Jonathan Edwards or President Dwight, but like those very leaders of religious thought themselves, they were like those wise men of progress in their ideas of religious truth. Theology, a human science at the best, they regarded as being in itself as thoroughly capable of improvement from time to time as any other piece of man's wisdom; and more desirably so than any other, because of its larger bearings in every way on human happiness, here and forever. And the moral and scriptural ideas which they cherished for the life and light and warmth which they gave to their own souls, they were ever active in putting into force in the communities where they lived, rejoicing to meet any invitation or opportunity for their manifestation. They have not been lovers of general society. Being studious to a large degree, and fond of seeking the higher culture, they have become by their special tastes and habits, greatly isolated in their lives of effort and experience. They have been no idlers, overcome with ennui, and wasteful of life's best opportunities for receiving and doing good. With quite a large number of the leading spirits in the family it would not be too much to say that their love of work amounted almost to a ruling passion. With abounding energy of will, they have addressed themselves to the highest points of human hope and thought, and delighted to communicate the riches of truth and love that they had found with others in the recitation-room, the pulpit and the press. They have been conspicuous always for their swiftness and power to protest against wrong: high-hearted leaders of forlorn hopes: brave

helpers of anyone they found in life's pathway; strong lovers of everything truest and best in the community, and strong haters of anything evil; warm in their likes and warm in their dislikes, with an intense dislike for shams in all matters of social intercourse, of business, and of taste. The constitution of the Dwight name is thoroughly non-jesuitical. The aspirations and impulses of those who have given character, a name to the family, have grown out of and clustered around such doctrines, imbedded deeply in their hearts, as these:

"The sacredness of religious conditions is in individual minds."

"No infallible system of interpretation of the Scriptures to be found anywhere, in any human being, council, creed, or sect."

"Continual progress toward something ever better than before, in each individual and in society at large."

"The greatest possible freedom of thought, feeling and action to be allowed to every one, consistent with similar rights to all others, and the good of all."

"Justice to all men, liberty to all, and peace to men of peace."

NOTE (g).—When Josiah had completed his apprenticeship as printer, he wanted to get a position with the New York *Evangelist*. His father asked him what recommendation he would offer. He replied, "I would recommend myself." He was accepted by the *Evangelist* office, and remained there until he came to Lawrence, when he was assistant editor of the Lawrence *Journal* in association with Hovey Lowman. At the time of the Quantrell raid, he was one of the three young men who were killed at Dr. Griswold's house, that fatal morning of August 21st, 1863,—Mr. Baker alone surviving, of a group of four. A memorial of Trask was written by a minister of Fitchburg.

APPENDIX B.

**EXTRACTS FROM THE WRITINGS, ADDRESSES AND PAPERS
OF CHARLES ROBINSON.**

11 1

SPEECH DELIVERED AT THE CLOSE OF THE "WAKARUSA WAR,"

BY GENERAL CHARLES ROBINSON.

From the Herald of Freedom, December 15, 1855.

FELLOW-SOLDIERS: In consequence of a "misunderstanding" on the part of the Executive of this Territory, the people of this vicinity have been menaced by a foreign foe, and our lives and property threatened with destruction. The citizens, guilty of no crime, rallied for the defense of their families, their property, and their lives, and from all parts of the Territory the true patriots came up, resolved to perish in the defense of their most sacred rights rather than submit to foreign dictation. Lawrence and her citizens were the first to be sacrificed, and most nobly have her neighbors come to her rescue. The moral strength of our position was such that even the "gates of hell" could not prevail against us, much less a foreign mob, and we gained a bloodless victory. Literally may it be said of our citizens, "They came, they saw, they conquered."

Selected as your commander, it becomes my cheerful duty to tender to you, fellow-soldiers, the meed of praise so justly your due. Never did true men unite in a holier cause, and never did true bravery appear more conspicuous, than in the ranks of our little army. Death before dishonor was visible in every countenance, and felt by every heart. Bloodless though the contest has been, there are not wanting instances of heroism worthy of a more chivalric age. To the experience, skill and perseverance of the gallant General Lane all credit is due for the thorough discipline of our forces, and the complete and extensive preparations for defense. His services cannot be overrated; and long may he live to wear the laurels so bravely won. Others are worthy of special praise for distinguished services, and all, both officers and privates, are entitled to the deepest gratitude of the people.

In behalf of the citizens of Lawrence, in behalf of the ladies of Lawrence, in behalf of the children of Lawrence, in behalf of your fellow-soldiers of Lawrence, and in my own behalf, I thank you of the neighboring settlements for your prompt and manly response to

our call for aid, and pledge you a like response to your signals of distress. The citizens who have left their homes to come to our assistance have suffered great privations and many discomforts and expenses, while the citizens of Lawrence have incurred heavy expenses; but all has been submitted to without a murmur, and in a spirit worthy of a people engaged in a high and holy cause.

The war is ended, our duties are discharged, and it only remains for me, with the warmest affection for every soldier in this conflict, to bid you adieu, and dismiss you, to go again to the bosoms of your families.

**EXTRACT FROM THE ORATION DELIVERED AT THE
BURIAL OF BARBER.**

The occasion which calls us together is one of deep interest and peculiar significance to every patriot and republican.

Our Territory has been repeatedly invaded, and our dearest rights trampled upon, by the citizens of a foreign State. They have taken possession of our ballot-boxes, and by force of arms have wrested from us the right to make our own laws and choose our own rulers, and imposed upon us a system of laws uncongenial to our natures and wants. Having accomplished all this by invasion and outrage, it was but natural to suppose that invasion and outrage would be necessary to enforce their enactments. "Misunderstanding" the facts and the temper of the people as well as their tactics, the Executive recently gave the signal for another invasion, and the armed hordes responded. Our citizens have been besieged, robbed, insulted, and murdered; and our town threatened with destruction for two whole weeks, by the authority of the Executive, and, as he now says, in consequence of a "misunderstanding."

A misunderstanding on the part of our Executive is a most unfortunate affair.

Our Governor having been told that the people of Kansas did not recognize the laws of Missouri, and were determined these laws should be a dead letter in the Territory, unwittingly fell into the error of supposing the people would array themselves against the Government of the United States, evidently not understanding how a code of enactments can be effectually resisted and no law violated. Had he carefully read the early history of his country, he might have understood the "sons of liberty" better than to suppose any United States law would be violated by the people, or, if violated, that the community would be guilty of violating it.

By whose act do the remains of the lamented Thomas Barber now await interment at our hands? By whose hand is his wife made a widow? By whose instrumentality are we made to mourn the untimely fall of a brave comrade and worthy citizen?

Report says Thomas Barber was murdered in cold blood by an officer or officers of the Government, who was a member of the sheriff's posse, which was commanded by the Governor, who is backed by the President of the United States.

Was Thomas Barber murdered?

Then are the men who killed him, and the officials by whose authority they acted, his murderers. And if the laws are to be enforced, then will the Indian Agent, the Governor, and the President be convicted of, and punished for, murder? There is work enough for the "law-and-order" men to do, and let us hear no more about resistance to the laws till this work is done. If all Missouri must be aroused and the whole nation convulsed to serve a peace warrant on an unoffending citizen, may we not expect some slight effort will be made to bring these capital offenders to justice? Or are our laws made for the low, and not for the high,—for the poor, and not for the rich?

For the dead we need not mourn. He fell a martyr to principle; and his blood will nourish the tree of liberty. An honorable death is preferable to a dishonorable and inglorious life. Such was the death of our brother, and as such he will ever be cherished by his companions and fellow-citizens. It is glory enough for any man that a body of men like the Barber Guards should adopt his name to designate and distinguish their company.

To his beloved and bereaved wife, to his brothers and relatives, to the members of his company, to all who have pledged property, honor, and life to the cause of freedom and humanity, I seem to hear the spirit of our departed brother say: "Be of good cheer; weep not for me; you are engaged in a good work, and your reward will be glorious. Death is no misfortune to the true; indeed, it is sweet to die in defense of liberty."

But the shock produced by the murder of our friend is felt beyond the circle of his immediate relations and friends. It has shaken the entire fabric of our Government to its very base, and nothing but the unseen hand of the All-Wise Governor of the Universe could have saved this nation from civil war and political death.

It is due to the bold stand taken by the freemen of Kansas during the late invasion that the sun of Liberty is still above the horizon: and cold indeed must be the heart, wherever found, that does not

beat in unison with ours as we pay our last tribute of respect to the remains of our brother!

Can the people of this nation approve the

"Costly mockery of piling stone on stone ?
To those who won our liberty, the heroes dead and gone,
While we look coldly on, and see law-shielded ruffians slay
The men who fain would win their own, the heroes of to-day !"

No!

"Be callous as they will,
From soul to soul, o'er all the world,
Leaps one electric thrill."

EXTRACTS FROM ORATION DELIVERED AT LAWRENCE,
KANSAS TERRITORY, JULY 4, 1855.

This day, the seventy-ninth anniversary of the Declaration of American Independence, finds us in a new and strange country and surrounded by circumstances interesting and peculiar. While the echoes of the booming cannon are reverberating among our native hills, and the merry peals of the church-going bells are announcing to the world the rejoicings of a great and prosperous people, that their days of weakness, suffering and thralldom are past, we are here in a remote wilderness, to found a new State, and to plant anew the institutions of our patriotic ancestors. It is a day to us of peculiar significance. While we would pay a tribute of respect to that period which in the annals of this nation will ever be regarded as most sacred; while with one accord and with one voice we worship in the Temple of Liberty, uncontaminated by party distinctions of sectional animosities, and unite in the endeavor to raise some fitting memento of a Nation's gratitude for the declarations of that day, the most glorious in the history of a mighty People, we should also gather lessons of instruction from the past by which to be guided in the erection of a new State in the heart of this great Republic.

One lesson the history of our Government should teach us who have chosen Kansas for our home, and that is especially applicable to the instructions of this day, viz.: the more closely the principles of the Declaration of Independence are followed as a basis of Government, and the more universal they are made in their application, the more prosperous the Government and people.

As the people of Kansas Territory are to-day the subjects of a foreign State, as laws are now being imposed upon us by the citizens of Missouri, for the sole purpose of forcing upon this Territory the institution of Slavery, I surely need make no apology for devoting the few moments allotted to me on this occasion, to an examination of the effects of this institution upon a State and people, whether politically, morally, or socially. I ask you not to-day to listen to arguments of Abolitionists, or for Abolitionism. I wish not

to wage war upon Slavery or slaveholders in any State of this Union, or to interfere in any respect with our neighbors' affairs; but it is for ourselves, our families, our own institutions and our prosperity,—it is for Kansas, I ask your attention. Is it politic, is it for our moral, intellectual or pecuniary advancement to submit to the dictation of a foreign power in regard to our laws and institutions? This is the question that deeply interests us all, and for the consideration of which this day is most appropriate.

Liberty, the goddess to whom this day is dedicated, showers upon her votaries peace and prosperity, intelligence and enterprise, morality and religion. The inspirer and guide of Washington and the patriot fathers, may she become the presiding genius of our own beautiful Kansas! Slavery—the opposite and antagonist of Liberty, the ruin of nations, the impoverisher of States, the demoralizer of communities, the curse of the world, the child of hell—may she go to her own place. On this day and this occasion we may speak freely, assured that no offense can be given by the strongest expressions in favor of Freedom, or in opposition to Slavery, as no one who is in favor of the latter can join in the celebration of this day. No person who does not “hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness,” can consistently participate in the festivities of this day. Nay, should we fail to speak in utter detestation of Slavery, and hurl defiance at the monster on this anniversary of Freedom's natal day, especially when the tyrant has already placed his foot upon our necks, why, the very stones would cry out!

Fellow-citizens, let us for a moment inquire who and where and what are we?

Who are we? Are we not free-born? Were not our mothers as well as our fathers of Anglo-Saxon blood? Was not the right to govern ourselves, to choose our own rulers, to make our own laws, guaranteed to us by the united voice of the United States?

Where are we? Are we not in the most beautiful country that human eye ever beheld? Is it not for surface, soil and productions, worthy to be styled the garden of the world? A wilderness, yet already budding and blossoming like the rose? A new country, yet having the appearance in its diversity of meadow and woodland, of hill

and dale, of a land long inhabited, and most beautifully and tastefully laid out into parks and groves? With a mild and salubrious climate, a dry, pure atmosphere, must it not soon become the resort of the invalid from the consumptive East and the ends of the earth?

Our situation, geographically, is in the center of this republic, at the half-way station between the Atlantic and Pacific, the Gulf of Mexico and the British Possessions. The "Father of Waters" extends to us his great right arm and proffers the commerce of the world and a market for all our productions; and the line of steam and telegraphic communication that is soon to encircle the globe will of course pass directly through our Territory, thus bringing to our very doors the commerce of China and the Indies.

What are we? Subjects, SLAVES of Missouri! We come to the celebration of this anniversary with our chains clanking about our limbs; we lift to heaven our manacled arms in supplication; proscribed, outlawed, denounced, we cannot so much as speak the name of Liberty except with prison-walls and halters looking us in the face. We must not only see black Slavery, the blight and curse of any people, planted in our midst, and against our wishes, but we must become slaves ourselves.

Persons may teach that the Declaration of Independence was a lie: that tyranny and oppression, a thousand-fold more severe than that which our ancestors rose in rebellion against, are right; that marriage is a mockery; that the parent shall not have possession of his own child, nor the husband his wife; that education is a crime: that traffic in human beings, the bodies and souls of men, is a virtue;—all this may be taught with impunity in this boasted land of ours, and those who teach such things must be recognized as gentlemen and Christians. But to teach that all men are created equal; that they have an inalienable right to life and liberty; that oppression is a crime, and that education, religion and good morals are virtues,—this is not to be tolerated for a moment. Tar and feathers, the gallows and stake, await all persons who dare express a belief in such dangerous doctrines, if we can believe our masters. Masters, did I say? Heaven forbid! Subjects? slaves? Oh, no! it is all a mistake. What! the whisky-drinking, profane, blasphemous, degrading, foul-mouthed and contemptible rabble that invaded our Territory at the late elections, our masters? Never! Never! I can say to Death, Be thou my master,—and to the grave,

Be thou my prison-house; but acknowledge such creatures my masters, never! No, thank God, we are yet free, and hurl defiance at those who would make us slaves.

"Look on, who will, in apathy, and stifle, they who can,
The sympathies, the hopes, the words, that make man truly man;
Let those whose hearts are dungeon'd up with interest or with ease,
Consent to hear with quiet pulse of loathsome deeds like these!
We first drew in New England's air, and from her hardy breast
Sucked in the tyrant-hating milk that will not let us rest;
And if our words seem treason to the dullard and the tame,
'Tis but our native dialect,—our fathers spake the same."

With truth and justice on our side, we have nothing to fear, for —

"Thrice is he armed who hath his quarrel just,
And he but naked, though locked up in steel,
Whose conscience with injustice is corrupted."

Whose conscience with injustice is corrupted, if not his who withholds from the laborer his due, who makes merchandise of men, women and children, who sunders family ties, sending the husband perhaps to the cane-fields of Mississippi, the wife to a New Orleans brothel, and the children to the rice-swamps of Alabama, never to see one another again, and to all spend their lives amid whips and chains? Is it not "confirmation strong as Holy Writ," and their conscience is corrupted, when such men "repel the doctrine" that such proceedings are wrong, either morally or politically? when they "hurl back with scorn" the charge that conduct like this can be inhuman? Perhaps it is not inhuman, if they are fair samples of humanity; but it is certainly un-beastlike.

And who are the cowards in this contest, if not those who shun investigation, tremble at free discussion, or even the expression of an opinion, who cry out, "Down with the press, down with the church, and down with every man who disapproves of oppression"? And what acts are more cowardly, if it is brave and manly for scores of men, maddened with whisky, to prowl about in the dark and destroy the defenseless, to seize peaceable and unarmed citizens, to tar and feather them, to throw printing-presses into the river, and threaten to shoot governors and hang editors, and especially to march upon a weak and defenseless people by thousands, armed with deadly weapons of all kinds, the most deadly of which is whisky, and trample under their feet the dearest rights of freemen, imposing upon a neighboring Territory a foreign government and laws not of their choice,

at the point of the bayonet? If such acts are brave and heroic, what are cowardly and villainous?

What reason is given for the cowardly invasion of our rights by our neighbors? No good reason is or can be given. They and their apologists say that if Kansas is allowed to be free, the institution of slavery in their own State will be in danger; that the contrast between a free and a slave State will be so great that their own citizens will become abolitionists, or the underground railroad will relieve them of their slaves. But for the first cause there is no danger of alarm, if their doctrine is correct that slavery is a blessing, and not a moral or political evil. If it is the humane institution that they represent, who will want to see it abolished? As to the second cause, there is no ground to fear, provided the people of Missouri mind their own affairs and let ours alone, for it is not true that the settlers of Kansas have enticed away a single negro, or attempted to do so. On this point we speak by authority; for do not the Westport and other Missouri papers say that the general agency of this line of travel is under our charge?—and did those papers ever tell an untruth? We say, then, officially, that up to the present time not the first rail has been laid of this road in Kansas; but the workmen are in readiness, and will commence operations with a will if our affairs are again interfered with by foreign intruders. If the people of Missouri make it necessary, by their unlawful course, for us to establish freedom in that State in order to enjoy the liberty of governing ourselves in Kansas, then let that be the issue. If Kansas or the whole North must be enslaved or Missouri become free, then let her be made free. Aye, and if to be free ourselves slavery must be abolished in the whole country, then let us accept that issue. If black slavery in a part of the States is incompatible with white freedom in any State, then let black slavery be banished from all. As men espousing the principles of the Declaration of the fathers, we can do nothing less than accept these issues. Not that we are unfriendly to the South: far from it. If there be any true friend of the South in this assembly, to him we say that our love to the South is no less than his. If, then, such friend demand why we are ready to accept this issue, this is our answer: Not that we love the South less, but we love our country more. "Had you rather Cæsar were living, and die all slaves, than that Cæsar were dead, to live all freemen?" "Who is here so base that would be a bondman? If any, speak, for him have I offended."

Fellow-citizens, in conclusion, it is for us to choose for ourselves, and for those who shall come after us, what institution shall bless or curse our beautiful Kansas. Shall we have freedom for all her people, and consequent prosperity, or slavery for a part, with the blight and mildew inseparable from it? Chose ye this day which you will serve, Slavery or Freedom, and then be true to your choice. If Slavery is best for Kansas, then choose it; but if Liberty, then choose that.

Let every man stand in his place, and acquit himself like a man who knows his rights, and knowing, dares maintain them. Let us repudiate all laws enacted by foreign legislative bodies, or dictated by Judge Lynch over the way. Tyrants are tyrants and tyranny is tyranny, whether under the garb of law or in opposition to it. So thought and acted our ancestors, and so let us think and act. We are not alone in this contest. The entire nation is agitated upon the question of our rights. The spirit of '76 is breathing upon some the handwriting upon the wall is being discerned by others, while the remainder the gods are evidently preparing for destruction.

Every pulsation in Kansas vibrates to the remotest artery of the body politic, and I seem to hear the millions of freemen and the millions of bondmen in our land, the millions of the oppressed in other lands, the patriots and philanthropists of all countries, the spirits of the Revolutionary heroes, and the voice of God, all saying to the people of Kansas, "Do your duty!"

**SELECTIONS FROM THE FIRST MESSA
FREE-STATE LEGISLATURE, MAI**

The organization of a new government is more or less difficult, and should, under the circumstances, enlist the learning, judgment and prudence in all its departments. The most skillful workmen of each part of the complicated machinery must be secured, and these must be made to work as a fellow, and that a harmonious whole, without friction, will be the result. In Kansas especially is this a difficult task. Our citizens are from every State and nearly every country on the globe, and their education, habits and tastes are as various as the nations in our midst are several independent nations both west and east, are outside invaders.

The reasons why the Territorial Government and Kansas admitted into the Union as a State

In the first place, it is not a government of executive and judicial officers are imposed upon the people; power, and the officers thus imposed are foreign and unaccountable, not to the people, but to an executive distant from them. American citizens have for a long time had to govern themselves, and to have a voice in their own affairs; but, in the Territorial Government, they have no choice in some of their officers, but are dependent upon officers who appoint them.

Again: Governments are instituted for the the governed; but the Territorial Governmen and still is an instrument of oppression and the history of our republic. The only officers minister the law impartially have been remove who have aided in our subjugation. Sduct of the officers and the people of a neighbentionally or otherwise, that Kansas to-day is

enacted by the people of the Territory. Not a man in the country will attempt to deny that every election had under the Territorial Government was carried by armed invaders from an adjoining State, and for the purpose of enacting laws in opposition to the known wishes of the people.

The Territorial Government should be withdrawn, because it is inoperative. The officers of the law permit all manner of outrages and crimes to be perpetrated by the invaders and their friends with impunity, while the citizens proper are naturally law-abiding and order-loving, disposed rather to suffer than to do wrong. Several of the most aggravated murders on record have been committed, but as long as the murderers are on the side of the oppressors, no notice is taken of them. Not one of the whole number has been brought to justice, and not one will be, by the Territorial officers. While the marauders are thus in open violation of all law, nine-tenths of the people scorn to recognize as law the enactments of a foreign body of men, and would sooner lose their right arm than bring action in one of their misnamed courts. Americans can suffer death, but not dishonor; and sooner than the people will consent to recognize the edicts of lawless invaders as laws, their blood will mingle with the waters of the Kansas, and this Union will be rolled together in civil strife.

Not only is this Territorial Government the instrument of oppression and subjugation of the people, but under it there is no hope of relief. The organic act permits the Legislature to prescribe the qualification of voters, and the so-called Legislature has provided that no man shall vote in any election who will not bow the knee to the dark image of slavery, and appointed officers for the term of four years to see that this provision is carried out. Thus nine-tenths of the citizens are disfranchised and debarred from acting under the Territorial Government if they would.

Even if allowed to vote, the Chief Executive of the country says that he has no power to protect the ballot-box from invaders, and if the people organize to protect themselves, his appointees intimate that they must be disarmed and put down; hence, whether allowed to vote or not, there is no opportunity for the people of the Territory to rule under the present Territorial Government. Indeed, the laws are so made and construed that the citizens of a neighboring State are legal voters in Kansas, and of course no United States force can

be brought against them. They are by law entitled to invade us and control our elections.

Whereas, the Territorial Government, as now constituted for Kansas, has proved a failure,—squatter sovereignty under its workings a miserable delusion,—in proof of which it is only necessary to refer to our past history, and our present deplorable condition;—our ballot-boxes have been taken possession of by armed men from foreign States, and our people forcibly driven therefrom; persons attempted to be foisted upon us as members of a so-called Legislature, unacquainted with our wants, and hostile to our best interests, some of them never residents of our Territory; misnamed laws passed, and now attempted to be enforced by the aid of citizens of foreign States, of the most oppressive, tyrannical, and insulting character; the right of suffrage taken from us, debarred from the privilege of a voice in the election of even the most insignificant officers; the right of free speech stifled; the muzzling of the press attempted;—and whereas, longer forbearance with such oppression has ceased to be a virtue;—and whereas, the people of this country have heretofore exercised the right of changing their form of government when it became oppressive, and have at all times conceded this right to the people in this and all other governments;—and whereas, a Territorial form of government is unknown to the constitution, and is the mere creature of necessity, awaiting the action of the people;—and whereas, the debasing character of the slavery which now involves us impels us to action, and leaves us the only legal and peaceful alternative,—the immediate establishment of a State Government;—and whereas, the organic act fails in pointing out the course to be adopted in an emergency like ours: Therefore, you are requested to meet at your several precincts in said Territory hereinafter mentioned, on the second Tuesday of October next, it being the ninth day of said month, and then and there cast your ballots for members of a convention to meet at Topeka on the fourth Tuesday of October next, to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government preparatory to the admission of Kansas into the Union as a State.

It is understood that the deputy marshal has private instructions

to arrest the members of the Legislature and the State officers for treason, as soon as this address is received by you.

In such an event, of course, no resistance will be offered to the officer. Men who are ready to defend their own and their country's honor with their lives, can never object to a legal investigation into their actions, nor to suffer any punishment their conduct may merit. We should be unworthy the constituency we represent, did we shrink even from martyrdom on the scaffold, or at the stake, should duty require it. Should the blood of Collins and Dow, of Barber and Brown, be insufficient to quench the thirst of the President and his accomplices, in the hollow mockery of "squatter sovereignty" they are practicing upon the people of Kansas, then more victims must be furnished. Let what will come, not a finger should be raised against the Federal authority, until there shall be no hope of relief but in revolution.

The task imposed upon us is a difficult one; but with mutual coöperation, and a firm reliance on His wisdom who makes "the wrath of man praise Him," we may hope to inaugurate a government that shall not be unworthy of the country and the age in which we live.

MESSAGE OF GOVERNOR CHARLES ROBINSON,
JUNE 11, 1857.

Fellow-Citizens of the Senate and House of Representatives:

You are again convened together at the expiration of the recess taken by you in January last. You meet under circumstances scarcely less difficult, and no less embarrassing, than have characterized the previous meetings of this Legislature. But your duties under the Constitution are plain, and the necessity for action imperative.

As the representatives of the people, you are here to do the work for which they have selected you. The bitter experience of the past has brought nothing with it that could relieve you of your responsibility. Every step in that experience has shown the necessity for you to do your work, and that you with calmness, wisdom and determination prepare those bulwarks on which the people may rest their constitutional rights, as American citizens, and keep the State Government in readiness for admission into the Union.

As it becomes my duty to recommend such measures as I may deem expedient for your action, and to communicate to you the condition of affairs in the State, I shall endeavor briefly to do so.

Since I sent my message to you, when you first convened, in March, 1856, many important and startling events have marked and disturbed the current of affairs. The horrors of actual warfare have existed in our midst. Towns and cities have been sacked and burned, and our citizens have been brutally murdered on the highways and in their homes. A hostile enemy on our eastern border has poured in predatory band after band, and army after army, with the design of harassing our citizens and completing the subjugation they had begun.

The General Government, which still assumes the power of protection over us, has basely used that power as the screen under which it has rendered aid and comfort to our enemies, and strengthened the hands of those foreign invaders who still pretend to hold the political power of the people, that they usurped. Nor have your labors or your persons been exempt. Lawless arrests have been made of your

members, and also executive officers, by men who, although they possessed some power, and in many instances held positions in connection with the Federal courts, acted with irregularity and in defiance of even the rules which they professed to respect.

A large and necessary portion of the labors of your codifying committee was destroyed, with much other property, at Lawrence, in May, 1856, when that place was pillaged and partially burned, by a mob brought there by a United States Marshal. When your bodies met pursuant to adjournment, in July last, your assembly was interfered with and broken up by a large force of United States troops, in battle array, who drove you hence, in gross violation of those constitutional rights which it was their duty to have protected. When you again convened in January last, at your regular session, your proceedings were again interfered with by a deputy marshal, and many of your members arrested.

I do not propose entering into a minute detail of all the unhappy occurrences that have marked the past year—occurrences which have stamped a page of infamy on the history of the country. Let me refer you to the comprehensive address prepared by a committee of the convention that assembled in this place on the 10th of March last, for those particulars, an enumeration of which would absorb too much of your time. Suffice it to say, that owing to these causes the Government is not yet fully organized, and waits in urgent necessity for the completion of your work.

The period for which you were elected is drawing to a close. No provision for taking the census has been made, and no election law adopted. Without these your function in the government will expire, and with it the power of reproducing it. I cannot think that you will, in any contingency, incur the reproach of leaving helpless the people who trusted you, or compelling them to recur through original action to their primary power, for those needed steps which it is your duty to supply.

In my message sent you in March, 1856, I enumerated the outlines of the legislation it would be incumbent on you to frame and adopt. Let me respectfully refer you to that document for those details.

There is one subject of great moment for our present and future prosperity. The public land in our midst still belongs to the General Government. To secure these lands, or all of them that can be obtained, is a matter to which we should devote no ordinary attention. The policy hitherto adopted towards other new States, gives us just

grounds to look to Congress for a grant of all the public lands in our midst. To your enterprise and endurance its value can be traced and to you it rightly belongs. The sale of much of our valuable lands for the behalf of Indians, gives an additional claim on the Government for the remainder. Surely, the General Government will not seek to make a speculation on the bones and sinews of the struggling pioneers who seek to add another State to the confederacy. Let us respectfully urge upon the assembled wisdom of Congress our claim for donations of these lands, and let us press these claims before the Government has passed its title to all the valuable portions, into the hands of speculators. No donation should, by its terms, conflict with the claim of a squatter on the soil.

The inanimate framework of a Territorial Government still exists in Kansas. While the popular branch of Congress has accepted our application for admission into the Union, the Senate has still withheld its approval. In this isolated condition, our rights as American citizens, under the Constitution, and our inherent rights as men, remain to us. The Territorial Governor, recently sent among us by the Federal Government, in his inaugural truly said:

"It is the people of Kansas, who, in forming their State Constitution, are to declare the terms upon which they propose to enter the Union. Congress cannot compel the people of a Territory to enter the Union as a State, or change, without their consent, the Constitution framed by the people. Congress, it is true, may for constitutional reasons refuse admission, but the State alone, in forming her Constitution, can prescribe the terms on which she will enter the Union. This power of the people of a Territory in forming a State constitution is one of vital importance, especially in the States carved out of the public domain. Nearly all the lands of Kansas are public lands, and most of them are occupied by Indian tribes. Those lands are the property of the Federal Government, but their right is exclusively that of a proprietor, carrying with it no political power."

The doctrine here enunciated is only what has been established by precedent, and reiterated time and again. In it we have a right to form a State constitution, and of necessity a complete State organization, for which its specific terms must provide. As Congress has neither the right to frame a Constitution for us, nor to "change" the same, it must be apparent to all, they have no power to destroy it when created. Governor Walker goes even farther than this, and farther than we have ever proposed going, for he says "The State alone, in forming her constitution, can prescribe the terms on which she will enter the Union," — clearly implying that she may enter the

Union or not. Under these circumstances it is clearly apparent that the Federal Government has only sent Governor Walker as a Territorial officer to Kansas, because we have hitherto failed, or been unable to complete the organization we have begun. In the absence of the full and vital powers of government adopted by the people, this is merely an endeavor to carry out the implied protection.

What renders this more unhappy, is the fact that the Federal authorities have never yet been able to afford us such protection, and as there is no Territorial law here, recognized by the people as such, the executive function is a mockery.

Your first consideration is the necessities of the people, but beyond that it is your duty to act with promptness, so as to relieve these Federal appointees of a merely nominal duty, that must be embarrassing and disrespectful to them, whilst the unsettled state of affairs conveys an impressive reproach to those republican institutions on which all our hopes as a people center. In the Inaugural to which I have referred, there is a recommendation that our people forsake the government they have adopted, and under the management of usurping, pretended officials, seek to do over again what has been done.

We do not think any serious or generally entertained desire exists amongst our people to do so; and, while opinions from such a source may be entitled to respect, it is at least unfortunate that a course of action in relation to the Constitution should be pointed out in the official address of a Federal appointee, who, in that very address, urges the rights of the people, and their rights *alone*, to take steps for a State government. It is clearly evident from that address itself, that Governor Walker has not been sufficiently conversant with affairs in Kansas, to warrant the expression of opinion on so grave a matter. In that document he assures us that we shall have everything over which his executive function has no control, and refrains from expressing any opinion on the only points for which we could entertain hopes of his action. You are doubtless aware that Acting Territorial Governor Stanton issued a proclamation containing an apportionment of representation for a delegate convention. That apportionment leaves nearly one-half of Kansas without any representation, and as no census has been taken there by anyone, they will of course have no privilege of even voting.

Had there been no State Constitution in Kansas; had a fraudulent, pretended Territorial Legislature never originated the steps to

which this Inaugural refers; had that action come simply from the people, as it legitimately should, there would still have been the strongest reasons why all good men should refrain from participating in an act so grossly fraudulent and despotic as this pretended census, and partial appointment under it. In any event such proceedings will inevitably fall to the ground as lacking in that great essential, the popular will, which alone could give it vitality.

Although that strange appointment which deliberately anticipates disfranchising one-half of the people was issued a week previous to the Inaugural of Gov. Walker, there was not the slightest allusion to that document. And yet the evidence of the fact was of easy access to him, and he was not ignorant of it. What does he mean when he says, "The law has performed its *entire* appropriate function when it extends to the people the right of suffrage"?

Has it done so? or, is Gov. Walker ignorant of the fact that it has not? He adds:

"Throughout our whole Union, however, and wherever free government prevails, those who abstain from the exercise of the right of suffrage, authorize those who do vote to act for them in that contingency, and the absentees are as much bound under the law and the constitution, where there is no fraud or violence, by the act of the majority of those who do vote, as though all had participated in the election."

It would be needless to tell you that such a position, however good, is quite inapplicable to this so-called census law and all the proceedings under it. It originates in an usurping fraud, and every step in the process has been a fraud. It is not a proposed election to ascertain the wishes of the people, but a foregone conclusion, every part of which is carefully framed to accomplish a certain result. But if its applicability cannot be found in these proceedings, let me suggest where it can be applied. In the proceedings under which the State Constitution was framed and ratified, *all* the actual voters had the privilege of participating. Men of all parties *did* do so, and if any portion declined, it was because they feared to hazard the policy they were trying to thrust on Kansas to a popular vote.

How are we to reconcile the two positions of this Federal Inaugural — first, that the people alone must freely and fairly make or change their Constitution; and secondly, that "the Territorial Legislature is the power *ordained for this purpose by the United States*, and in opposing it you oppose the authority of the Federal Government"?

Well knowing that the complaint that the Legislature referred to did not derive its power from the people of Kansas, he makes up for its lack of popular legitimacy thus: "That Legislature was called into being by the Congress of 1854, and is recognized in the very latest Congressional legislature. It is recognized by the present Chief Magistrate of the Union."

There is not much of "popular sovereignty" and "self-government" here. This usurpation is repudiated by the people, but it is "recognized" by "Congress" and the "President." Its pretended enactments are a dead letter. All the official proclamations and bulletins of Presidents and Territorial Governors cannot make them law, for nothing is law or can have the authority thereof save the legitimately expressed will of the people. But if the Federal authorities cannot make their usurpations laws, they seem bent on preventing the people from having *any* law unless they will stoop to accept of this. Never let it be said that the people of Kansas were so recreant to the principles of self-government as to accept the laws thrust upon them by a body of invaders. Such a fatal precedent would sow the seed that would spring up to the ultimate ruin of our Government. An insignificant minority in Kansas may cooperate with the invaders outside to perpetuate this usurpation, but, as Gov. Walker says: "The minority, in resisting the will of the majority, may involve Kansas again in civil war; they may bring upon her reproach and obloquy, and destroy her progress and prosperity; they may keep her for years out of the Union, and, in the whirlwind of agitation, sweep away the Government itself; but Kansas never can be brought into the Union, with or without slavery, except by a previous solemn decision, fully, freely, and fairly made by a majority of her people in voting for or against the adoption of her State Constitution."

This has been done in the adoption of our State Constitution—has been done in accordance with the very principles and requirements of this Inaugural itself, and we may well ask in the language of Gov. Walker, "Why then should this just, peaceful and constitutional mode of settlement meet with such opposition from any quarter?"

I cannot dismiss this Inaugural, sent amongst us by the Federal authorities and Territorial Governor, without noticing one or two other points. He says there is a clause in our Constitution forever excluding the African race, bond or free, from Kansas. There is

no such clause in our Constitution, and it is to be regretted that Gov. Walker, who talks so much about the "will of the people" should not have given a Constitution emanating from them, a more careful investigation. At the time the Constitution was submitted to the people, a resolution from the people to the first Legislature was also submitted. This was neither "in" nor connected with the Constitution, and has just as much force as the first Legislature may choose to attach to it. It originated in an anxious desire to show favor to the peculiar institutions of "her sister States"—especially her immediate neighbor, the State of Missouri. And how has this compromise spirit been met? By invasion, usurpation, rapine, fire and sword. Such clauses as that he has sarcastically said were in our Constitution, he expressly denies in another paragraph.

How much more deeply he must feel the interests of Missouri than Kansas, is apparent when he recalls the debt of gratitude that the people of Kansas owe the State which has stripped our people of every constitutional right, has involved us in the confusion of civil discord, and which is trying by the aid of General Government to place its feet upon our necks to-day. The first cause of a political struggle in Kansas was whether Kansas should be a free or slave State. After the invasion of 1855, a still more fearful issue arose, whether the people of Kansas should have the right to govern themselves. It is for this we struggle. The rights of the people, the glory of republicanism on earth, the integrity of our Government, are all wrapped up in the issue. Truly, we can say, "never was so momentous a question submitted to the decision of any people, and we cannot avoid the alternatives now before us of glory or of shame."

The rights of a free people we love, the Union we regard, the integrity of the government we will maintain. The devotion of the people of Kansas to the Union is evidenced by the stern reality of their sufferings and their endurance. In wisdom and devotion the people of Kansas will struggle to preserve the Union, should they ever be permitted to enjoy the bands of sisterhood; they will do so by endeavoring to make the Union worth preserving, without which it will inevitably crumble in pieces. We may with sacrilegious hand tear from the tomb of Washington or Jefferson some perishable relic of the mortality of those who while living, were devoted to liberty and revered the claims of God and humanity, and, under the cover of the awe-striking symbol, incite the reluctant representa-

tives of the people to acts disfranchising American citizens, robbing republicanism of all that is good in it. We may shout "The Union!" "The Union!" over acts of the most reckless despotism, and hurry our Government into oligarchy and anarchy under the delusion, but the delusion will not save us from the penalty of our folly and our crime.

Let us then preserve the Union by maintaining the integrity of republicanism.

It is a universal maxim that usurpers never voluntarily relinquish their power. Under whatever guise it may come, the action of those who now pretend to hold Territorial power will be for the continuation of that power.

For Gov. Walker to urge us into that flimsy trap in which they hope to ensnare our people is wrong; and to talk to us, in the connection of fairness and justice, is to add insult to wrong.

While the great principle for which we have to contend is to maintain our right to self-government, the secondary consideration, of preserving Kansas a free State, is not to be lost sight of. It is of importance that the principles of Freedom should prevail, not only because the people have willed it, but because it is good policy, and above all, because it is right. Where would our prosperity be if slavery were entailed upon us? Where would the towns and cities, the railroads and commerce be, with such a plague-spot on our energies? The owls would hoot through the cities now laid out in Kansas, the railroads be confined to charters of usurped legislation.

The industrious settler would shrink from the contamination of slave labor, that would degrade his manhood and his honest toil. Nor can we trace all the reasons by which the unerring finger of a just Providence guides the policy of every systematic wrong to a sure decay, and entails the curse that there should be no prosperity in the land that is stained by the tears and watered by the unpaid sweat of any portion of the children of men.

There is indeed an "isothermal line" and a law of the thermometer "which may make slave labor comparatively profitable or unprofitable," but there is unhappily no "law of the thermometer" to prevent infatuated slavery propagandists from attempting to establish the institution where wise policy says it never should be. It will therefore be an important duty in us to guard carefully against all the steps in such an insidious design; the more so, that "policy"

and an "isothermal law" are united with the claims of republicanism and justice.

Under these circumstances we can contemplate the duties before us, and with judicious calmness undertake them. We struggle for our birthright, and we must not sell it for a "mess of pottage." The eyes of the country are on us, for our cause is the common cause of all who love republicanism. In our defeat the principle on which the Government rests will sustain a shock; in our victory it will take root and be perpetuated. To you is confided no common share of the task. To you will be meted out the glory of victory or the misfortune of defeat. Be true, and we will triumph. Our task is difficult: let us meet its responsibilities in full reliance on the wisdom of Him who is the God of Justice. A future of prosperity and usefulness is before the people of Kansas. A great State is rapidly expanding into prosperous existence. May we hope to establish in it a government not unworthy of this civilized age and our republican institutions.

CHARLES ROBINSON.

TOPEKA, June 9, 1857.

**EXTRACTS FROM GOVERNOR ROBINSON'S MESSAGE
TO THE FIRST STATE LEGISLATURE, 1861.**

The past year has been one of unprecedented drouth, and consequent scarcity in Kansas. Our farmers, encouraged by the bountiful return for labor bestowed on the soil in the years past, had an unusual quantity of land under cultivation. With an ordinary supply of rain, a large amount of produce would have been raised for export, and no people would have been more highly favored than our own. Instead, however, of plenty and consequent prosperity, many of our citizens have been the recipients of foreign charity. For the prompt and generous relief afforded by States and individuals, a suitable acknowledgment should be made by the Legislature; and it is proper to inquire if our State is not able to provide for its own poor in the future. No spirited and energetic people will be recipients of charity, when able to procure their own subsistence. Such a course would be demoralizing and degrading. If the State has sufficient credit it would be better to use it for the relief of her citizens, should it be necessary, than longer live upon the generosity of others. Seed has already been furnished in abundance for spring planting, and by the first of June the stock that abounds upon our prairies will be suitable for food; it is therefore to be hoped that a general call for charity will soon cease.

Although the past year has been one of adversity to our people, yet, with the stern integrity and mutual coöperation between the several departments of the Government, together with a firm reliance upon that Providence which has thus far sustained and directed us, and whose promise that seed-time and harvest shall not fail, inspires us with hope and courage in the darkest hour, we may confidently look forward to a happy and prosperous future for our new State.

When Kansas applied for admission into the Union, it was supposed that there was a Federal Government that would endure until the present generation, at least, should pass away. Recent developments, however, have given rise to serious doubts as to its existence. Theoretically, such a government is extended over thirty-four States, but practically it does not exist in some. In seven States the laws are openly repudiated, the forts seized, the revenue

stolen, the Federal officers defied, and the flag of the nation insulted with impunity; and eight others threaten to do likewise if the Government attempts to assert its authority by force in any rebellious State. Such is the condition of affairs as bequeathed by the late administration to the present.

The future none can predict. Should matters progress as for a few months past, and coercion be decried as at present, not a prominent seaboard State will remain in the Union, and not a law of the United States will be enforced anywhere. Our Government, once regarded as a power in the earth, will become a hissing and a byword among the nations, a stench in the nostrils of all men. This nation occupies a very remarkable position before the civilized world. It has heretofore been prompt and efficient in putting down treason and rebellion, and the whole force of the army and navy has been called into requisition at once whenever danger threatened. Shay's rebellion, the whisky insurrection, South Carolina nullification and the John Brown raid, were all summarily disposed of with no cry against "coercion"; now, when certain persons in the South have seized upon the revenues, forts, ships, postoffices, mints, arms, and army and navy stores, waged war upon the United States troops, set up an independent government and bid defiance to all law, the position of the authorities has been simply that of non-resistance. Two independent and hostile governments cannot long exist at the same time over the same territory without conflict, and either the Confederate States of the South or the Federal Government must succumb, or civil war is inevitable.

A demand is made by certain States that new concessions and guarantees be given to slavery, or the Union must be destroyed. The present Constitution, however faithfully adhered to, is declared to be incompatible with the existence of slavery; its change is demanded, or the government under it must be withdrawn. If it is true that the continued existence of slavery requires the destruction of the Union, it is time to ask if the existence of the Union does not require the destruction of slavery. If such an issue be forced upon the nation, it must be met, and met promptly. The people of Kansas, while they are willing to fulfill their constitutional obligations toward their brethren in the sister States to the letter, even to the yielding of the "pound of flesh," cannot look upon the destruction of the fairest and most prosperous government on earth with indifference. If the issue is presented to them, the overthrow of the

Union or the destruction of slavery, they will not long hesitate as to their choice. But it is to be hoped that this issue will be withdrawn, and the nation advance in its career of prosperity and power, the just pride of every citizen and the envy of the world.

The position of the Federal Executive is a trying one. The Government, when assumed by him, was rent in twain, the cry against coercion was heard in every quarter, his hands were tied, and he had neither men nor money, nor the authority to use either. While it is the duty of each loyal State to see that equal and exact justice is done to the citizens of every other State, it is equally its duty to sustain the Chief Executive of the Nation in defending the Government from foes, whether from within or from without, and Kansas, though last and least of the States in the Union, will ever be ready to answer the call of her country.

TOPEKA AND HER CONSTITUTION.

Extract from an Address Delivered before the Kansas Historical Society, in the Winter of 1877-78.

Nothing but the menacing attitude of the Topeka Constitution and Government compelled the Territorial officials to restore the ballot-box to the people. This is made clear by the proclamation of Governor Walker and Secretary Stanton, relative to the Oxford fraud, when they discarded that vote at the election of the Territorial Legislature in 1857.

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The Topeka Constitution was equally important as a rallying-point for the Free-State men. No mere party platform or organization could have prevented the recognition of the Territorial Legislature and laws until the people should have a fair election. The first Territorial Legislature had provided for "returning boards" for four years, and in that time slavery would be established and a Proslavery Constitution fastened upon the State. Recognition of that usurpation would have been fatal, and the Topeka Constitution was the only instrumentality that rendered a prevention of that recognition possible. This was the grand mission of that Constitution, and it was filled to perfection. The first successful battle against the Slave-Power of the country was fought under that banner. It was the beginning of the end of slavery in the United States. The tide of propagandism was stayed in its blighting course, and the reflux wave of Freedom swept over the land from Topeka to Florida, giving liberty and equality before the law to every human being, thus making our entire country, in fact as well as in name, "the land of the *free*" as well as the "home of the brave."

EXTRACT FROM AN ADDRESS AT THE QUARTER-CENTEN-
NIAL OF KANSAS.

. . . No, no; the flood-tide of slavery received its first permanent check in Kansas, and it was the reflux waves from her borders that carried Abraham Lincoln into the White House, drove the South into rebellion, and buried slavery so deep that for it there can be no resurrection. Not only is the State of Kansas thus indebted to the Territory, but the late slave States that contended so earnestly to extend their peculiar institution are doubly indebted. These States have not only been redeemed from a blighting curse, but have been prospered in every way as never before in their history. So general and widespread is their prosperity, that so far as known not a citizen can be found in the entire South who would reestablish slavery if he could. But the blessings resulting from the Territorial struggle do not stop here, for the nation itself has been born again, and with that birth which brings with it "peace on earth and goodwill to men." The old contentions, bitterness, and irrepressible conflict between the North and South have given place to mutual respect, love, and good-will. The United States now constitute, in reality as well as in name, like institutions, like aspirations and a common destiny. Our Union, thus cemented, has become the envy of all nations, and a terror to all enemies. The freest, happiest, and most prosperous people on the globe, we have become a place of refuge for the oppressed of all nations. Such being the result of the Territorial conflict, well may the contestants embrace each other on the twenty-fifth birthday of this wonderful State, and henceforth dwell together in unity, under a Government that knows no North, no South, no East, no West, but that is "one and inseparable, now and forever."

EXTRACT FROM ADDRESS AT BISMARCK QUARTER-CENTENNIAL MEETING.

. . . So much for Kansas and Kansas citizens; but great injustice would be done non-residents did we attempt to claim all the credit for the grand results of the last quarter of a century. At the opening of Kansas, slavery seized upon every town and district except such towns and districts as were settled by the agency of the Emigrant Aid Society. Without these settlements, it is safe to say, Kansas would have been a slave State, with not even an attempt at resistance. Without the Emigrant Aid Society these towns would not have been; and without Eli Thayer, Amos A. Lawrence, Edward Everett Hale, William M. Evarts, and their co-laborers, that society would have had no existence. And these men would have been powerless with all their machinery, had not the Liberty party and Free-Soil campaigns, under the lead of the Burneys, Hales, Julians, and others been fought; and these campaigns would have been stillborn had there been no Garrisons, Parker Pillsburys, Theodore Parkers and Wendell Philippses to cry in the wilderness and prepare the way for the agencies that followed.

Another class of actors rendered invaluable service near the close of the struggle, and must not be forgotten on this gala-day. The Walkers, Stantons, Denvers, Forneys and other conservative Democrats, by their impartial and honorable course prevented much bloodshed and cut short the struggle, perhaps years, by crushing out fraud and giving the government to the legal majority as demanded by the Organic Act.

Also, to our former proslavery antagonists who have so honorably acquiesced in the result, we most cordially extend the right hand of fellowship. We have reason to believe that many are well pleased with the institutions of the State, and all are forever to close the "bloody chasm" that once divided us.

In conclusion, let me congratulate Kansas and our guests and all friends of Kansas, that the close of the first quarter of a century from its settlement finds peace and good-will among all its inhabitants, and unprecedented prosperity throughout its borders.

EXTRACTS FROM AN ADDRESS WRITTEN FOR THE RE-
UNION AT LEAVENWORTH, OCTOBER, 1883.

. . . Every question is said to have at least two sides, and in every war each side is supposed to have reasons for justification satisfactory to itself. In our late war one side claimed to be defending the life of the Government, while the other side professed to contend for the constitutional rights of the States. These were the ostensible questions involved, but the real *casus belli*, or bone of contention, was the freedom or slavery of a race of laborers. One side was fighting that all men, of whatever occupation or race, should belong to themselves, while the other would have the laborer the chattel of the employer.

An "irrepressible conflict" between free and slave labor had been inherited from the mother country from the foundation of the Government. Slavery had remained in control of the Government for half a century, when the right of property in human beings was questioned as never before. Notwithstanding this questioning, slavery maintained its ascendancy, removing all barriers to its progress, till a handful of men and women planted themselves on the soil of Kansas, directly in the path of the defiant monster which had started on a tour of the Territories and States, with Bunker Hill monument as its destination, where the roll of slaves was to be called beneath its shadow. This apparently insignificant obstacle in Kansas so irritated and enraged the slave-power that it became an easy prey to the Goddess of Liberty. Discomfited and thwarted for the first time in its history, in obedience to the gods it became mad, and violently assailed the government it could no longer control. It was this assault that stirred the blood of every free man in Kansas and the nation, and filled our fair country with the graves of departed heroes and annual reunions of veteran soldiers.

Our heroes, both living and dead, waged no war for national aggrandizement; to add new laurels to a kingly crown; to give additional power to privileged classes, or for personal benefits;—but they offered up all that men hold dear, that a poor, crushed and despised race of servile laborers might be raised to a higher plane,—might be changed from chattels to freemen; from abject slaves to

American citizens. History furnishes no parallel to this war, where a million men offered up their lives and fortunes, not for themselves or their kindred, but for an oppressed class of people, a class so degraded by long years of slavery as not to be able to appreciate the value of the sacrifice made in their behalf.

Such were the men whose reunion we witness to-day; and let their names and deeds be cherished to the latest generations as benefactors of their race.

One word in conclusion, to the Union veterans who annually gather at these reunions. The institution which caused the terrible conflict of arms has perished in the Red Sea of fraternal strife; the flowers of twenty summers have shed their perfume over the graves of your dead comrades; the smoke of battle has vanished from sight; the passions of the hour are cool and spent, while all men, North, South, East and West, are ready to accept the situation as most conducive to the highest good of the nation.

Since, then, the combatants in that deadly conflict are citizens of one government, with a common interest and a common destiny, let us kindly cherish that consideration and respect for the defeated combatants that one brave man always entertains for another, and show that consideration, respect and reconciliation by some appropriate word or action on the annual recurrence of these gatherings.

To love a friend and comrade is praiseworthy and human, but to forgive a defeated foe is noble and divine.

"Sow love, and taste its fruitage pure;
Sow peace, and reap its harvest bright;
Sow sunbeams on the rock and moor,
And find a harvest home of light."

EXTRACTS FROM "THE KANSAS CONFLICT."

Several lessons may be learned from the conflict in Kansas, and the conduct of the War of the Rebellion in the West, that may be of service to the oppressed, to philanthropists and statesmen.

It will be seen that the remedy for oppression in a republican government is not the overthrow of that government, but resistance of oppression within it. If a people with votes in their hands, with power to replace every official, from President to constable; cannot exercise that power for their relief from oppression, a forcible overthrow of the Government would leave them at the mercy of designing men, who would as readily control the new government as the one destroyed. A republican government is what the people make it, and if not what it should be, they only are to blame. The safety of such a government depends upon the education of the voters; and the remedy for injustice in any direction is exposure of the wrong and agitation for the right. Defensive opposition to wrong and oppression with prudence will succeed, while offensive oppression to the Government itself will fail. Amos A. Lawrence once said: "The Government may have many faults, but let it be assailed from any quarter and the whole people will rally for its defense." In resisting oppression no wrong or outrage must be committed by the oppressed. They depend for relief upon the sympathy or sense of justice of the people not directly interested; and so long as oppression only is resisted, this sympathy will be with the oppressed, but so long as the oppressed or wronged turn oppressors and wrong innocent parties, all sympathy ceases.

The Free-State party of Kansas retained the sympathy of the North because it did nothing that could be called wrong in itself to any man, but acted strictly on the defensive. [Chapter XVIII, pp. 461, 462, "The Kansas Conflict."]

It is not easy to conjecture what greater victory the Free-State men could gain, or what greater defeat the Proslavery men could suffer, than to have 1,900 men march from forty to one hundred and fifty miles to serve a warrant issued by a justice of the peace, and then return, after cursing, swearing, shivering and freezing for

two weeks, as they came, minus the whisky, without serving any process whatever, legal or otherwise. If a more brilliant victory has ever been gained it has not been recorded. How many such defeats could the Administration afford in enforcing "popular sovereignty" where the people were to be left perfectly free to settle their institutions in their own way, subject only to the Constitution of the United States?

And what of the Free-State men called "dastards," who obeyed orders and suffered wrong without doing wrong? It is safe to say an equal number of men, with a more unflinching courage, both moral and physical, has not been seen since the days of the Revolution.

A coward can give blow for blow, eye for eye, and tooth for tooth, but it requires true courage to suffer wrong without retaliation that a great cause may be advanced. The Free-State men believed that every outrage inflicted strengthened their cause and correspondingly weakened that of their opponents; that in their sufferings lay their strength. In this respect, the Wakarusa War, while causing great annoyance and suffering, had enlisted the sympathies and support of the civilized world. [Chapter VIII, p. 209, "The Kansas Conflict"]

Something of the nature of the conflict in Kansas may be learned from the characteristics of the contestants. Settlers from the North and East came from communities where person and property were protected by law, and the carrying of weapons for self-defense was unknown. Many had come to look upon war among nations as a relic of barbarism. Not a few of the Kansas emigrants had imbibed something of the views and spirit of the non-resistant agitators, and were supposed to interpret the teachings of the Nazarene literally: to return good for evil; when one cheek should be smitten, to turn the other to the smiter; and if compelled to part with their coats, to give their cloaks also. As a rule, the Free-State settlers were averse to a resort to physical force in the settlement of any conflict, much less a conflict purely moral and political.

These were some of the characteristics of the Northern settlers while at home, but they were found unsuited to a Southern and Western climate. It was found that the precepts of Christianity, including non-resistance, might work admirably where all were Christians and non-resistants, but it was also discovered that the devil would flee only when resisted, and that pearls were not suitable diet for all animals and on all occasions.

The South and Southwest were in many respects most unlike the East and North. Where a large class was to be kept in servitude, nothing but physical force would avail. Hence deadly weapons and personal prowess were indispensable, and the man who would pass current as a gentleman must be prepared at all times to protect his person and his honor by force. Also in the new West, in the absence of the civil code, every man was a law unto himself and constituted in his own person judge, jury, and executioner. In such a community human life, instead of being sacred as in the North and East, was cheap, and could be sacrificed at any time to resent personal insult and to protect peculiar institutions, if not for sordid gain. At the same time the better class of the citizens of the South had a high sense of honor, and could not be excelled in any part of the country for civility, courtesy, hospitality, and business integrity." [Chapter III, pp. 26, 27, "The Kansas Conflict."]

IMPORTANT LETTERS.

[The following is a draft of a letter sent by Amos A. Lawrence to be re-written and signed by Mrs. Robinson and addressed to Mrs. Lawrence, the mother of Amos A. Lawrence. The letter was sent by Mrs. Lawrence to Mrs. Pierce, wife of the President, who gave it to the President to read.]

FORT LEAVENWORTH, KANSAS TERRITORY.

MY DEAR MADAM: I take the liberty of a wife brought into great distress by the imprisonment of him whom I most love, to ask for your aid in obtaining for him that justice which will lead to his release. You will know something of me if you remember my father, the late Myron Lawrence, of Belchertown, an acquaintance of your lamented husband and his brothers, for all of whom he had a high regard and with whom he often had intercourse during the many winters that he remained in Boston serving his town in the Legislature, and afterward the county of Hampshire in the Senate, of which he was the President. You will easily recall his personal appearance, and in my partiality for him I believed that his heart was large in proportion to his body. My husband is Dr. Charles Robinson, a friend of your son, to whom I was married three years since, and to join whom I left my widowed mother last autumn and came to this Territory. He is in every respect worthy of the confidence reposed in him; he has sacrificed ease and personal advantage to make a home here for the thousands who emigrate from the old States, and to secure this vast region from the evils of slavery. He is a loyal citizen of the United States, whose laws he has always obeyed and in whose defense he would at any time sacrifice his life. If he has any fault, it is that he is bound less by his domestic ties than by his love for liberty and his country.

You are aware that all this Territory was made forever sacred to freedom by the law of the United States in 1820. Two years ago this law was repealed at the instigation, in the first place, of inhabitants of western Missouri, acting through David R. Atchison, then Vice-President of the United States, and the question of its being made a Free or a Slave State was to be left to the *bona fide* settlers. It was believed that efforts had been making and would be continued in Missouri to perpetuate in it the same institutions as exist there; and to ascertain this, and to explore this country.

Dr. Robinson came out here at the request of your son and others. He was well adapted for the enterprise, besides having previously traveled through it, and his feelings revolted at the prospect of its being given over to slavery. He executed the trust with alacrity, and the information which he imparted induced settlers from all the States to turn their eyes in this direction. At the same time he became acquainted with the plans which had been made under the name of "Self-Defensive" associations and "Blue Lodges," to keep out the citizens of the Free States, who were regarded as "Abolitionists," and have been treated as such. After this he was employed to give accurate information to the settlers who came out; to erect saw-mills, school-houses, receiving and forwarding houses and one large hotel. This is the only agency in which he has been employed, and these afford the only advantages given to the settlers by those for whom he has acted. He has never favored a resort to arms, except for defense, and he has gone unarmed himself. In all his transactions he retained the confidence of his friends in the other States, and he won that of the real settlers, who looked to him as a safe adviser and friend. After it was found by humiliating experience that the real inhabitants were not allowed to elect their own representatives nor to make their own laws, he was regarded as the most suitable person to lead them in resisting their execution. This trust he accepted with a deep feeling of his obligations to obey and uphold the authority of the Federal Government. His resistance has been to the Territorial Government, established by the inhabitants of another State, and to the laws enacted by it, repugnant as they are to the sentiments of constitutional liberty and to the sentiments of all honorable men. For this he and his associates are called "rebels" and "traitors," and he is now in prison, and is to be tried by those whose authority he has defied and who demand his sacrifice. All this is done with the sanction of the Executive of the United States, and so deliberately that I tremble for the result. Already the legally appointed representative of the United States Government, Governor Shannon, has said and repeated that "He is certain to be tried, and if tried he will be convicted, and if convicted he will be hung." God grant that this may not be so. Let them take my poor life rather than his. They little know his worth,—or rather, as I fear, they know it too well, and they know that by his death they hope more readily to subjugate this Territory.

He endeavors to quiet my fears, and tells me that such a result

is impossible. But so he said in regard to the election; he did not believe that would be carried by an invading force which trampled down the ballot-boxes and threatened the lives of the legally chosen judges. So he said in regard to the first invasion, though it afterward required all his skill to avert a collision. So he told me in regard to the last invasion—that our houses and property would not be molested if there were no resistance; and yet they have burned the most valuable buildings in the Territory and robbed and insulted the inhabitants beyond forbearance; our own house rifled and burned—a severe loss, and the more so because it contained the mementoes of my father, who was very dear to me. My husband confides too much in the generosity of his enemies, and it is this which fills me with fear. I cannot but give weight to the assertions of Gov. Shannon, publicly made, that *he will be hung*.

Pardon me, my dear Madam, for this long statement. I could say a thousand things in addition, but forbear. The President of the United States is your relative. He will soon know, if he does not already, that the real settlers have been allowed to take no part in framing the Territorial laws, which he upholds with the authority of the United States. I beg your good offices in behalf of my husband. He has not resisted the authority of the United States Government, and he never will; he has not believed that it would be exerted to support so odious an oppression. This Territory cannot be made a slave State except with the assistance of the Executive. Until recently the real settlers have been Free-State men, three to one, and they are now driven away.

NEW YORK, June 26, '56.

MY DEAR MADAM: I have had considerable conversation with Messrs. Howard and Sherman, as well as Gov. Reeder,—with the latter while in Boston, and now here; and as they are all lawyers and good ones, as well as statesmen, the united opinion of all at this time is better than that of any others.

The conclusion which I draw is, that Gov. Robinson cannot be harmed by any action of the law. Still, you had better send a letter to my mother, unless you are averse to doing so, to be kept in reserve. I think her request in a certain quarter would not be refused for anything, for reasons which need not be named here.

To-day I have testified before the Committee of Congress, who summoned me here. Gov. Reeder did the same.

The proof would condemn a legion of angels, and their united report is excellent. It will put a different aspect on affairs; in fact, the light has broke already in many dark places.

With kind regards to Gov. R., I remain,

Yours very truly,

[AMOS A. LAWRENCE.]

Having no seal, I will not sign.

SENATE CHAMBER, May 21st, 1856.

MRS. ROBINSON: Your letter came duly to hand, and I have been daily to the postoffice since I received it, but I find no letters for your husband or yourself. If any come, I will forward them to you as requested. It may be that letters sent to you have been plundered from the mails.

I deeply regret the arrest of your husband; so do all our friends here, especially those who have the honor to know him. God only knows what will be the end of this conflict in Kansas, but whatever may be the result, your husband has linked his name forever with the cause of freedom in America.

If I can do anything for you or your friends, it will afford me the highest pleasure to do so at any time.

Yours truly,

HENRY WILSON.

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